

INSTRUCTIONS FOR FILING APPEAL

“FORM-A”

RAJASTHAN REAL ESTATE APPELLATE TRIBUNAL

At the time of filing and appeal, these instructions are required to be followed by the appellant/Advocate/legal representative.

1. Application for condonation of delay, if any, supported by an affidavit is required if the appeal is filed after lapse of 60 days. The days be counted from the day of uploading of order on Authority's website/copy of the direction or order or decision made by the Authority or the Executing officer is received by the appropriate Government or the Competent authority or the aggrieved person.
2. In case the appeal is presented by or on behalf of the builder/company/promoter, then the self-attested calculation sheet complying with provision of Section 43(5) must be enclosed.
3. Soft copy of complete appeal file is required to be provided in **PEN DRIVE** No soft copy will be accepted through E-mail.
4. Separate fee of Rs.1000/- is payable in case of filing of amended appeal.
5. Certified copy of the impugned order passed by Rajasthan RERA, Jaipur is required for filing an appeal.
6. Flagging of every annexure and other important documents such as application(s), Vakalatnama, calculation sheet, order challenged etc. should be done.
7. Vakalatnama/power of attorney should be complete in all respects (along with Board Resolution in case of promoter's appeal).
8. Appeal file should be prepared as per online registration format.
9. The supporting affidavits with the appeal must also contain that all the documents/annexures/page numbering/flagging enclosed to the appeal are similar in all the three sets.
10. Checklist, calculation sheet and demand drafts copy must be attached in all three sets.
11. Appeal filed should accompany brief synopsis of the case.

CALCULATION SHEET

“FORM-B”

(A)

Calculation of interest which is to be paid to the allottees as per Order and as per provision to Section 19 (of RERA Act, 2016 and Rule 17 of the Rules of 2017).

Amount deposited by the allottee :

Date of possession as per Agreement :

Rate of interest as Rule 17 (proof attached) :

Date up to which the interest is to be paid :

Total period for interest :

Nature of order /directions passed by the Authority:

Amount ordered to be paid to the allottee including interest and compensation, if delay:

Note: If amount has been specified in the order of the Authority, even though penalty has been imposed and/or amount has been ordered to be paid to the allottees including interest and compensation, the Promoter/Appellants is to calculate the amount, as the case may be, and mention the same and also enclose the calculations sheet along with this proforma on basis whereof the said amount has been arrived at.

Amount being deposited by the Promoter/Appellants

Calculation :

Total amount calculated :

No./Date/amount of Demand Draft:

(B)

Calculation of Penalty as Section 43(5) of RERA Act, 2016

Amount of penalty as per order(s) dated _____ passed by _____

Total amount i.e. 30% or as determined by the Authority or payable to the allottee amount rupees:

No./Date/amount of Demand Draft:

**CHECKLIST FOR SCRUTINY OF APPEAL
“FORM- C”**

Appeal No. ----- Complaint No.-----

Parties----- Vs. -----

1	Date of filing of appeal	
2	Whether the name of the parties and their addresses are properly mentioned in the Appeal Memo	Yes/No
3	Whether certified copy of impugned Order/Judgment is filed with the appeal	Yes/No
4	Is appeal filed within limitation (60 days) :	Yes/No
5	If delay, how many days delay in filing of appeal:	
6	Whether application for condonation of delay is filed with appeal:	Yes/No
7	Whether requisite fees paid:- Penalty under Sec.43(5) has been deposited	Yes/No
8	Whether penalty amount deposited under Section 43(5)	Yes/No
9	Whether the required documents are legible and filed with Index & pagination	Yes/No
10	Whether Vakalatnama/Authorization is filed and complete in all respects	Yes/No
11	Whether e-mail/phone/Mobile No. is on record	Yes/No
12	Amount deposited by the allottee with the promoter	
13	Date of execution of Builder Buyer Agreement	
14	Date of offer of possession as per Builder Buyer Agreement	
15	Date of completion of project as per Raj-RERA registration	
16	Period of delay in handing over possession as per Authority order.	
17	Possession offered or not	
18	Relief sought in the complaint before the Authority	
19	Relief/direction given by Raj-RERA/Adjudicating Officer	
20	Relief sought in the present appeal	Refund Interest Both Compensation Penalty Any other