

**IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NO(S). OF 2026  
(@ SLP (C) No. 5520 of 2026)**

**SIKKA INFRASTRUCTURE PVT. LTD.**

**Petitioner(s)**

**VERSUS**

**RAVI PRATAP SINGH**

**Respondent(s)**

**O R D E R**

1. Leave granted.

2. This appeal is against the order passed by the High Court of Judicature at Allahabad, Lucknow in RERA Appeal Defective No. 112/2025 on the ground of delay of 122 days.

3. The facts to the extent relevant for disposing of this appeal are that the appellant launched a residential housing project in which the respondent was allotted a unit. Certain disputes led to respondent making a complaint before the Uttar Pradesh Real Estate Regulatory Authority (UP-RERA) on 26.04.2022.

4. By its order dated 25.01.2024, UP-RERA directed the appellant to refund the deposited amount alongwith delay interest calculated at the rate of MCLR + 1%. However, UP-RERA also directed that the appellant will not be liable to pay the delay interest for the period from 26.08.2011 till 20.02.2019 and further from 25.03.2020 till 25.09.2020.

5. In the appeal filed by the respondent before the UP Real Estate Appellate Tribunal, Lucknow, the appellate authority by its judgment dated 09.05.2025, not only affirmed the order of the UP-RERA but also proceeded further to direct refund of Rs. 31,47,620/-

alongwith interest at the rate of MCLR 1% from the date of deposit to the date of actual payment.

6. Aggrieved by the directions to pay interest for the entire period, the appellant filed an appeal under Section 58 of the Real Estate (Regulation and Development) Act, 2016 (the 'Act'). As there was delay in filing the appeal, the appellant also moved an application for condonation of delay of 122 days in filing the appeal. The High Court by the order impugned before us dismissed the appeal on the ground of delay.

7. Heard learned counsel for the appellant. None appears on behalf of the sole respondent despite completion of service.

8. We have also gone through the application for condonation of delay which explains the circumstances in which the delay in approaching the High Court under Section 58 of the Act has been explained.

9. In the facts and circumstances of the case, we are of the opinion that the interest of justice will be sub-served if the appellant is permitted to pursue the First Appeal on merits of the case, particularly as the Real Estate Appellate Tribunal has enhanced the period for which the interest needs to be paid. We are not expressing any opinion on the merits of the matter. Our endeavour is to enable the appellant to contest the case on merits, as there is, in our opinion a sufficient cause as explained in the application for condonation of delay, however, this shall be subject to the appellant paying costs to the respondent.

10. In view of the above, we allow the appeal, set aside the judgment and order passed by the High Court and restore RERA Appeal Defective No. 112 of 2025 to its original number subject to the

appellant paying to the respondent an amount of Rs. 50,000/- as costs. The said amount shall be paid within two weeks from today.

11. We request the High Court to take up and dispose of the appeal as expeditiously as possible in accordance with law.

.....J.  
[PAMIDIGHANTAM SRI NARASIMHA]

.....J.  
[ALOK ARADHE]

NEW DELHI;  
APRIL 27, 2026

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 5520/2026

[Arising out of impugned final judgment and order dated 17-12-2025 in RERAAD No. 112/2025 passed by the High Court of Judicature at Allahabad, Lucknow Bench]

SIKKA INFRASTRUCTURE PVT. LTD.

Petitioner(s)

VERSUS

RAVI PRATAP SINGH

Respondent(s)

FOR ADMISSION

IA No. 41113/2026 - EXEMPTION FROM FILING O.T.

Date : 27-04-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA  
HON'BLE MR. JUSTICE ALOK ARADHE

For Petitioner(s) : Mr. Ashwin Kumar Nair, AOR

For Respondent(s) :

UPON hearing the counsel the Court made the following  
O R D E R

1. Leave granted.
2. The Civil Appeal is allowed in terms of the Signed Order.
3. Pending application(s), if any, shall stand disposed of.

(KAPIL TANDON)  
COURT MASTER (SH)

(NIDHI WASON)  
ASSTT. REGISTRAR(NSH)

(Signed Order is placed on the file)