

**BEFORE THE CHAIRPERSON, REAL ESTATE REGULATORY
AUTHORITY, PUNJAB**

Complaint No.87 of 2018

Date of Decision 09.10.2018

Vivek Sharma, R/o # 440, Village Daria, Near Railway Station,
Chandigarh.

....Complainant

Versus

Affinity Greens, PR-7, 200 FT Wide International Airport Road,
Zirakpur, Punjab.

.... Respondent

Present : Shri Karan Jindal, Advocate proxy for Shri J.P.Singla,
Advocate for complainant

None for respondent.

ORDER

This order will dispose of a complaint filed by Shri Vivek Sharma under Section 31 of the Real Estate (Regulation and Development) Act, 2016.

2. The main contention is that the respondent had advertised its project 'Affinity Greens' even before it was registered with this Authority, and therefore committed violation of Section 3 of the Real Estate (Regulation and Development) Act, 2016, punishable under Section 59 thereof.

3. The notice was issued through registered post on 18.06.2018, and has not been received back undelivered. Since a period of 30 days had since elapsed, but nobody appeared in response, the

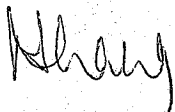
respondent was proceeded against exparte vide order dated 31.07.2018.

4. The matter was taken up on 25.09.2018. Shri Karan Jindal, Advocate, counsel for complainant drew my attention to the documents submitted along with the complaint i.e. brochure relating to the project, copies of photographs taken on 07.06.2018 of hoardings put up by the respondent, and also the documents containing details price etc. of various kinds of dwelling units in the promoter project. He pointed out that these were published even before the registration of the project which was completed on 02.08.2018. The fact that the project was advertised before registration was therefore clear from the documents attached with the complaint, counsel contended.

5. There is no one to rebut the contentions of the complainant. The complaint was submitted on 14.06.2018 and the documents submitted along with it establish that these were in existence at least on this date. The project was registered subsequently on 02.08.2018. It is, therefore, clear that project was advertised without it having been registered with this Authority. The contentions of the complainant are, therefore, correct.

6. This complaint is accordingly accepted. It is ordered that proceedings under Section 59 of the Act be initiated against the respondent.

Announced.


Chairperson
Real Estate Regulatory Authority
Punjab