

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

Complaint No.53 of 2018
Date of Decision 17.04.2018

1. Karan Sikka s/o Shri Madan Sikka
2. Ashok Kapoor s/o Shri Parkash Chand Kapoor
5/15, Roop Nagar, 1st Floor, Delhi - 110017

....Complainants

Versus

1. M/s Emaar MGF Land Limited (Mohali Hills), Sector 105, Landran-Banur Road, Opp. Reliance Petrol Pump, Mohali 160022 through its Managing Director/ Director/ Authorised Representative.
2. M/s Emaar MGF Land Private Limited, 306/308 Square 1, C-2, Dist Centre, Saket, New Delhi 110017 through its Managing Director/ Director/ Authorised Representative.

.... Respondent

Present : Shri Sandeep Bhardwaj, Advocate for the complainant.

ORDER

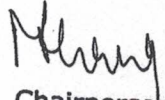
This is a complaint under Section 31 of the Real Estate (Regulation and Development) Act, 2016 in Form M.

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2. Briefly, the allegation against the respondent is that the complainants had booked one unit in the project promoted by the respondent and were allotted Unit No.56 of First Floor in the commercial project namely "Central Plaza" situated at Mohali Hills in Sector 105, SAS Nagar, District Mohali. Buyer's Agreement was executed between the

parties on 31.03.2008 and the possession of the premises was to be handed over within a period of 36 months from the date of signing of the agreement i.e. on 30.03.2011. However the possession was not handed over to the complainants in terms of agreement dated 31.03.2008. As such the respondents had violated the terms and conditions of the agreement executed between the parties. The relief claimed is the refund of the amount deposited, interest and also compensation etc..

3. When the case was taken up for consideration, Shri Sandeep Bhardwaj, counsel for the complainants conceded that the project in which the commercial unit was located is not registered with this Authority.
4. The decision of the full Authority in the case of "*Bikramjit Singh Vs. H.P.Singh*" (Complaint No.3 of 2017) is to the effect that the Authority has no jurisdiction to hear complaints in relation to projects which have not been registered with this Authority. The current project is admittedly not registered with this Authority. The complaint is accordingly rejected as not maintainable.
5. A copy of this order may be forwarded the Secretary, Real Estate Regulatory Authority, Punjab to examine the question of initiation of proceedings under Section 59 of the Act.

Announced.


Chairperson
Real Estate Regulatory Authority
Punjab