

**BEFORE THE  
REAL ESTATE REGULATORY AUTHORITY, PUNJAB,  
SAS NAGAR (MOHALI)**

Complaint No.96 OF 2018  
Date of Decision: 11.09.2018

Krishan Kant

...Complainant

Versus

M/s. Ansal Properties & Infrastructure Ltd.

...Respondent

**ORDER**

A complaint was received from Sh. Krishan Kant on 20.06.2018 in regards to his Plot no. 538 of size 200 Sq. yards, purchased by him in Ansal Golf Links-1, Sector 114, SAS Nagar Punjab from M/s. Ansal Properties and Infrastructure Limited, SCO 184, Sector 9, Chandigarh – 160009 for a total consideration of Rs.26,00,000/-. The complainant alleged that he purchased the above plot based on allotment letter dated 31.12.2010 and after making complete payment, got a conveyance deed executed on 26.05.2015. He has since constructed a house on the said plot and alleged the following deficiency of services on the part of the respondent:-

1. The width of road is actually 37.5 feet as against 40 feet promised at the time of allotment.
2. No road has been constructed in front of the house of the complainant as well as the peripheral road connected to road in front of his house.
3. Storm water drain is not developed.



He sought the following reliefs in his complaint.

1. Compensation of Rs.2,00,000/- for failure on the part of the respondent to fulfil his obligations.
2. Completion of development activities as promised as per the agreement.
3. Costs to the complainant.

The respondent in his written reply controverted, point wise, the above alleged contraventions and claimed that the road constructed is actually forty feet and not less as alleged by the complainant. They further claimed that the road has been duly constructed and storm water drain has also been duly laid across the entire road in front of the house of the complainant. The complainant filed the reply/rejoinder alongwith a certificate from one M/s. Shivalik Engg. and Contractors in support of his allegations and also submitted photographs of the site taken on 23.8.2018. No one of behalf of respondent came present on the day of final arguments. The complainant came present and submitted written arguments and reiterated the allegations made by him in his complaint. In view of the absence of the counsel/representative on behalf of the respondent, it was decided to proceed ex-parte in the matter. Based on material on record and evidence submitted by the complainant, the following conclusions can be drawn:-

1. There is difference of 2 ½ feet in the width of the road claimed by the respondent and the complainant.
2. The photographs clearly reveals that the road in front of the plot of the complainant as well as the peripheral road has not been constructed.
3. The complainant admitted that storm water drain has been constructed but no openings have been made as the same is linked with the construction of the road.

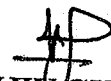
In view of the above, the respondent is hereby directed to complete the construction of the road in front of the house of the complainant, alongwith the peripheral



road, within 2 months of this order. Alongwith the construction of the road, the openings in the strom water drain be made as provided in the layout plan, so that rain water does not accumulate on the road. Further, he shall get the width of the road measured through a third party in the presence of the complainant and satisfy him regarding the same. Failure of compliance with these orders/directions of this authority shall make him liable to penalty of Rs. 20,000/- for everyday during which such default continues, which may cumulatively extend upto 5% of the estimated cost of the project as provided U/s. 63 of the Real Estate (Regulation & Development) Act, 2016. No relief of compensation is made out at this stage.

The complaint is accordingly disposed off. File be consigned to record room and copy of order be provided, free of cost, to both the complainant and the respondent.

SAS Nagar (Mohali)  
Dated: 11.09.2018

  
(SANJIV GUPTA)  
Member  
RERA, Punjab

11/09/18