

**Before Sh. J. S. Khushdil, Adjudicating Officer,
Real Estate Regulatory Authority, Punjab, First Floor, Plot No.3,
Block-B, Madhya Marg, Sector 18A, Chandigarh-160018**

Complaint No. ADC/1005/2018
Date of Institution:17.08.2018
Date of Order:30.10.2018

Raznee Dewan resident of 2027, Guru Nanak Vihar, Sector 48-C,
Chandigarh-160047.

Complainant

Versus

M/s Janta Land Promoters Ltd, SCO 39-42, Sector 82, Sahibzada Ajit
Singh Nagar, (Mohali)-160062 Punjab.

Respondent

Complaint under Section 31 read with Section 71 of the
Real Estate (Regulation and Development) Act 2016 in
form N.

Present: Shri D.D. Sharma with Shri Rajesh Dewan, representatives
for complainant.
Shri Vinay Pandey representative for respondent.

ORDER

1. Raznee Dewan (hereinafter called as the complainant) has filed this complaint against M/s Janta Land Promoters Ltd. (hereinafter called as the respondent) alongwith documents alleging violation of Section 18 of the Real Estate (Regulation and Development) Act 2016 (herein-after called as the Act) seeking

interest etc. as per the provisions of the Act on account of delay in handing over possession of the flat bearing No.D502, Falcon View Apartments, Sector 66A, Mohali. It is the case of the complainant that the above said flat was booked for a total price of Rs.1,12,50,725/- and the complainant has paid an amount of Rs.01,08,14,247/- towards the price of the flat, however, the possession of the flat has not yet been handed over to the complainant, though as per terms and conditions of the allotment letter dated 08.03.2013, the possession was to be delivered within thirty months from the date of allotment letter. The project in question has been registered with this Authority against registration No.PBRERA-SAS81-PM0004.

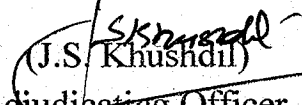
2. Upon notice of this complaint, respondent appeared and filed detailed reply opposing the claim of the complainant on various grounds.

3. While exercising powers as Adjudicating Officer, I have decided several cases including *Suman Mann Vs. JLPL bearing complaint No.AO.09 of 2017 decided on 14.05.2018* and *Nikhil Kwatra Vs. JLPL bearing complaint No.AO.20/2017 decided on 14.05.2018* and other cases, wherein, several points have been elaborated including one regarding role of the Authority and the

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4. In view of the above decision of the Authority, the Adjudicating Officer now cannot deal with the cases of the refund and interest and for that purpose the complaint has to be filed in Form-M before the Authority. For compensation only, the party may file complaint in Form-N. Thus, in view of these circumstances, the Adjudicating Officer lacks the jurisdiction to grant relief of refund or interest thereon. Therefore, in the larger interest of justice, the complaint is ordered to be returned to the complainant, who is at liberty to file a fresh complaint before the Authority as per the decision of learned Authority. Copy of this order be supplied to both the parties under Rules.

Dated:30.10.2018


(J.S. Khushdil)
Adjudicating Officer, 20/10/2018

Real Estate Regulatory Authority, Punjab.

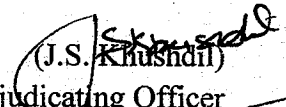
Raznee Dewan Vs. JLPL

Dated : 30.10.2018

Present: Shri D.D. Sharma with Shri Rajesh Dewan, representatives
for complainant.
Shri Vinay Pandey representative for respondent.

Reply to the complaint filed and its reply has been supplied to the complainant side. Heard. Vide my separate detailed order passed today, the complaint is ordered to be returned to the complainant with liberty to file a fresh complaint before the learned Authority. Remaining papers including the proceedings of this Bench be retained and consigned to record room.

Dated: 30.10.2018


(J.S. Khushni)
Adjudicating Officer
RERA
20/10/2018