

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

Complaint No. AO.No.07 of 2017
Dated of Institution: 12.10.2017
Date of Order:28.11.2018

Sandeep Bansal, B-3/9, Janak Puri, New Delhi-110058.

Complainant

Versus

EMAAR MGF Land Limited, SCO 120-122, Sec.17C, IInd Floor Cabin
No.203, Chandigarh-160017.

Respondent

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

S/Smsrdd
28/11/2018
Present:

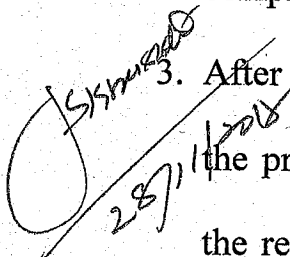
Shri Sham Lal Bansal representative for complainant.
Shri Sanjeev Sharma representative for the respondent.

O R D E R

1. Sandeep Bansal (hereinafter called as the complainant) has filed this complaint against EMAAR MGF Land Ltd. (here-in-after 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 refund and interest etc. as per the provisions of the Act on account of delay in handing over possession of flat No.TVM-F3-F05-502 in the project namely The Views, Mohali. It is the case of the complainant that the total sale price of the apartment was Rs.45,06,818/- and he has paid an amount of Rs.41,32,278/- towards the sale price, but, till date, the possession has not so far been given to complainant. It is alleged by the complainant that the project in question has been registered with this Authority.

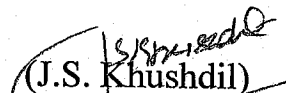
2. Upon notice, respondent appeared through its representative and filed written reply denying all the allegations as contained in the complaint.

 3. After hearing both sides, notice of substance of contraventions of the provisions of the Act was served upon the representative for the respondent, to which he pleaded not guilty and the case was fixed for production of documents by both the sides.

4. However, In view of the circulars dated 09.10.2018 and 21.11.2018 of the Authority, the Adjudicating Officer lacks the jurisdiction to grant relief of refund or interest. 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 the parties under Rules.

Dated:28.11.2018


(J.S. Khushdil)
Adjudicating Officer, 28/11/2018
Real Estate Regulatory Authority, Punjab.