

**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.1017 of 2018
Dated of Institution: 05.09.2018
Date of Order:28.11.2018

Avneet Kaur, resident of House No.60B, Model Town, Phagwara,
District Kapurthala.

Complainant

Versus

EMAAR MGF Land Limited, ECE House Level-1, 28 Kasturba Gandhi
Marg, Central Delhi-110001.

Respondent

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

Present:

Shri Vikram Singh representative for complainant.

Shri Sanjeev Sharma representative for the respondent.


O R D E R

1. Avneet Kaur (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 plot No.104, Mohali Hills Augusta Green,

Sector 109, Mohali. It is the case of the complainant that the total sale price of the plot was Rs53,01,648/- and she has paid an amount of Rs.43,73,557/- towards the sale price, but, till date, 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 an application for dismissal of the complaint in view of the circular of the Authority dated 09.10.2018.
3. I have heard both sides and have gone through the file. 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,
Real Estate Regulatory Authority, Punjab.

28/11/2018