

Based on the CLU granted by the competent authority for an area of 11.135 acres, we had applied for registration of the project for land measuring 44707 sq. meters, i.e. 11.135 acres which has been purchased by us vide various sale deeds.

Now the Promoter intends to develop the project in two phases and amended his application for registration of Phase I only i.e. for land measuring 22157 sq. metres ( 26 Bigha 10 Biswa) comprised in khasra numbers 689/3 (3-8-10), 690 (5-10), 691 (0-6) 692 (2-5), 693 (2-0), 694(5-10) ,695/2 (3-1), 696 (4-0), 697/1/1 (0-9-10), and this entire land is ownership of the promoter ( copies of sale deeds already uploaded in the relevant field. No khasra number of land in phase I is a part of complaint filed by Harvinder Singh and Harbans Singh against the promoter.

The revised documents i.e. Form B, as well as report of CA are uploaded in the relevant fields.

For Malwa Projects Pvt. Ltd.

Auth. Signatory

Sr. no.	Registry No.	Registry date	Mutation No.	Mutation area	Registry area	Khasra no.
1	1463	26.05.2016	3018	4 Bighe 9 Biswa 10 Biswasi & 7 Bighe 10 Biswa 10 Biswasi	12 Bighe	683(5-10), 685(4-0), 686(4-0), 689(4-0), 690(5-10), 691(0-6), 692(2-5), 693(2-0), 694(5-10), 696(4-0), 697(4-0), 698(4-0), 695(2-3-1)
2	1500	27.05.2016	3019	8 Bighe	8 Bighe	683(5-10), 685(4-0), 686(4-0), 689(4-0), 690(5-10), 691(0-6), 692(2-5), 693(2-0), 694(5-10)
3	2538	11.07.2016	3023	3 Bighe 9 Biswa	3 Bighe 9 Biswa	683(5-10), 685(4-0), 686(4-0), 689(4-0), 690(5-10), 691(0-6), 692(2-5), 693(2-0), 694(5-10)
4	1573	31.05.2016	3020	3 Bighe 1 Biswa	3 Bighe 1 Biswa	683(5-10), 685(4-0), 686(4-0), 689(4-0), 690(5-10), 691(0-6), 692(2-5), 693(2-0), 694(5-10)

Out of the total land of 31 Bighe 01 Biswa, the promoter has purchased land measuring 26 Bighe 10 Biswa and these khasra numbers are part of CLU. Copy of partition order dated 24/04/2017 is also provided in physical format.

For Matwa Projects Pvt. Ltd.

Auth. Signature

### Brief facts about the complaint:

It is stated that a complaint regarding partition of the land measuring 60 bigha 7 biswa falling under the khasra nos 715, 716, 717, 702, 703, 704, 705 total 60 bigha 7 biswa in the joint khewat co- owned by them along with other co-sharers has been filed by Harvinder Singh and Harbans Singh sons of Narata Singh against the promoter and was forwarded by the Authority to the promoter vide letter No RERA/2019/EG(T)/5015 dated 22.08.2019. The detailed reply to the said complaint has been duly submitted in physical format to the Authority on 3.9.2019 alongwith relevant documents separately which may also be read alongwith this reply. The brief facts of the case are again brought to the notice of the Authority online for consideration :

That out of joint khewat of 62 bigha 06 biswa, land measuring 1 bigha 18 biswa comprised in khasra number 715/2 was acquired by the Government of Punjab in the department of Irrigation and mutation No. 2101 ( Jamanbandi 1988-89) was duly sanctioned.

The award was announced by Land Acquisition Collector, Drainage Circle, Patiala and the compensation was calculated based on the share of shareholders as per revenue record ( Shri Sarban Singh, Mehma Singh, Boohar Singh, Bachan Singh, Balbir Singh, Dharam Singh, Sher Singh, Narata Singh, Prem Singh, Balwant Singh, Saun Singh, Hari Singh totaling for Rs. 33,606-25 P, but as Narata Singh was owner in possession of land to this extent, on his request, the other co-sharers agreed in writing for payment of the compensation amounting to total of Rs 33,606-25 P in respect of all the co-sharers to Narata Singh and accordingly the payment was made to Narata Singh vide cheque No. 268094 dated 27.04.1989 for Rs. 33606-25P( the documents of the LAC office already provided and are again being provided in physical form).

That Nand Singh was having 1/5<sup>th</sup> share in the total property( excluding the land 1bigha 18 biswa already acquired by the Punjab Govt.), measuring 60 bigha 7



biswa in the revenue estate of village Chhat tehsil Dera Bassi and the said property was succeeded by his five sons namely Dharam Singh , Pritam Singh, Sher Singh and Prem Singh and Narata Singh ( the father of the complainant ) getting 1/25th share which comes to 2 bigha 8 biswa 5-1/2 biswasi each.( copy of the jamanbandi already supplied).

That Narata Singh, the father of the complainants sold land measuring 08 biswa 18.1/2 biswasi to one Kamaljit Singh being 1/9<sup>th</sup> share in khatoni No. 283 khewat No. 182/159 as per jamanabdi for 2013-14 leaving a balance of 01 bigha 19 biswa 07 biswasi land in his name.

That thereafter Narata Singh , the father of the complainants further transferred land measuring 1bigha 19 biswa 7 biswasi to his sons Harvinder Singh and Harbans Singh ( complainants ) vide sale deed No.2032 dated 26.06.16 and the mutation No 3022/1 has been duly sanctioned in their name leaving no land in his name.

That the Co-sharers in the khewat Joginder Singh, Gurmukh Singh etc. filed application before the AC Ist Grade Zirkipur on 02.12.16 for partition of balance 60 Bigha 7 biswa land comprising khasra numbers,182/278-300, 707,709,710,712,717,1462/408, 2039/1462/408, 2073/1862/408, 1859/408, 1860/408, 1861/408, 1395/412, 2182/409, 2084/410, 2183/409, 2185/410,2043/705, 704,719, 1540/706, 1635/702, 1504/706 Min 1915/715,1066/413, 1865/413,and the complainants were made respondents in the said application ( Narata Singh was not having any land left in his name and as such he was not impleaded as a respondent). They appeared before the AC Ist Grade through their Advocate Shri Dipankar Garg and also filed an affidavit ( copy enclosed ) admitting the form A and consented to preparation of naksha B. It is this land falling in khasra No715/2 ( 1 bigha 18 biswa) which was acquired by the Punjab Government and compensation was received by Narata Singh, which has been deducted from their share and that too as per written consent in the shape of affidavit of the complainants filed before the AC Ist Grade.

That the complainants also sold land measuring 01Bigha 16 biswa to the promoter vide sale deed No. 7750 dated 22.03.17 and mutation No 3061 stands sanctioned in his name.

However one Harvinder Singh has filed a revision petition against the orders dated 08.05.17 in the court of FCR Punjab and the promoter has not been made a party even in that case. Allegations have been leveled against the co-sharers only even in this revision petition.

Shri Narata Singh and Harvinder Singh had filed a civil suit under section 45 of the Punjab Land Revenue Act for correction of record of rights AND the entries of mutation No. 3087 dated 25.11.2016 qua khasra numbers 704 (4-0), 709(3-14), 710 (3-14), 712 (4-0), 717 (4-0), 1462/408 (2-4), 2039/ 1462 /408 (0-7), 2073/1862/408 (0-12),1859/408 (0-11), 1860/408 (0-11), 1861/408 (0-11), 1395/1412 (0-16), 2182/409 (3-5.3), 2184/410 (0-15), 2183/409 (2-2.2.17), 2185/410(0-15), 2043/705( 1-16)704 (4-0), 719 (3-14), 1540/706 (2-0), 1635/702 (3-5), 2048/705 (2-4),716(4-0), 1504/706 min (1-11), 1915/715 (2-2) 1066/413 (3-12), 1865/ 413 (0-5 ) AND suit for declaration to the effect that partition proceedings conducted by AC Ist Grade, Zirkpur decided on 8.5.17 and further suit for declaration to the effect that any transaction of sale and purchase between the defendants qua 1 Bigh 19 biswa 7 biswasi are excessive and are liable to be ignored AND suit for permanent injunction restraining the defendants from selling, alienating or encumbering or changing the nature of the suit property by way of raising any type of construction or receiving any compensation in case of acquisition of the same, in the Civil Court at Dera Bassi and **their application under order 39 Rule 1 and 2 read with section 151 CPC stands dismissed.**( copy already provided to the Authority).

Though the matter will be decided by the competent courts of law, it is respectfully stated that we are bonafide purchasers of the land under the project and are being black-mailed by the complainants so as to pressurize the promoter to extract money and to purchase their adjoining land of which even the title is not clear and is pending in the Apex Court.



From the above it is clear that though there is no substance in the complaint , even then the Promoter has left this land i.e. land under partition as mentioned in the complaint , to be developed in the next phase. The Khasra numbers mentioned in the complaint falls in the 2<sup>nd</sup> phase of the project which will be got added to the project later on as and when it is intended to be developed.

It is most earnestly assured to the Authority that the Promoter undertakes to abide by any decision of the Civil Court as well the Revenue Court and the land now applied for registration ( as per details furnished separately here ) not being part of any land under partition which is being agitated by the complainants , though without any substance, the project applied for may kindly be registered.

For Malwa Projects Pvt. Ltd.

Auth. Signatory