

REAL ESTATE APPELLATE TRIBUNAL, PUNJAB
SCO No. 95-98, Bank Square, P.F.C Building, Sector-17-B, Chandigarh

Subject: -

APPEAL NO. 188 OF 2022

M/s Maa Mansa Builders and Promoters, Sector-127, Kharar
Landran Road, Mohali, District SAS Nagar (Mohali).

...Appellant

Versus

Real Estate Regulatory Authority, Punjab, at Chandigarh.

....Respondent

Memo No. R.E.A.T./2022/ 549

To,

**REAL ESTATE REGULATORY AUTHORITY, PUNJAB 1ST
FLOOR, BLOCK B, PLOT NO.3, MADHYA MARG,
SECTOR-18, CHANDIGARH-160018.**

Whereas appeal titled and numbered as above was filed before the Real Estate Appellate Tribunal, Punjab. As required by Section 44 (4) of the Real Estate (Regulation and Development) Act, 2016, a certified copy of the order passed in aforesaid appeal is being forwarded to you and the same may be uploaded on website.

Given under my hand and the seal of the Hon'ble Tribunal this 28th
day of October, 2022.

REGISTRAR
REAL ESTATE APPELLATE TRIBUNAL, PUNJAB



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**BEFORE THE REAL ESTATE APPELLATE TRIBUNAL, PUNJAB
AT CHANDIGARH**

APPEAL NO. 188 OF 2022

M/s Maa Mansa Builders and Promoters, Sector-127, Kharar
Landran Road, Mohali, District SAS Nagar (Mohali).

...Appellant

Versus

Real Estate Regulatory Authority, Punjab, at Chandigarh.

....Respondent

Present: Mr. Himanshu Gupta, Advocate for the appellants.

**CORAM: JUSTICE MAHESH GROVER (RETD.), CHAIRMAN
ER. ASHOK KUMAR GARG, CHIEF ENGINEER
(RETD.), MEMBER (ADMN./ TECH.)**

JUDGMENT: (JUSTICE MAHESH GROVER (RETD.), CHAIRMAN)

1. This appeal is against the order dated 12.05.2022 passed by the Real Estate Regulatory Authority (hereinafter known as the Authority).
2. Subsequent to a notice under Section 59 of the Act, the proceedings resulted in an imposition of a penalty of Rs.10,00,000/- upon the appellant for failure to get himself registered under the Act in terms of Section 3. Learned counsel for the appellant contends that there was no monetary gain to the appellant, since no plot was



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sold and the moment notice under Section 59 was received the appellant applied for registration. Apart from this it is contended that there was no inordinate delay in being compliant with the provisions of law and these are factors which ought to have been considered by the Authority to deal with it leniently insofar as the imposition of penalty is concerned. A prayer has thus been made before us that the penalty be reduced.

3. After hearing the learned counsel for the appellant we are of the opinion that we cannot interfere with an order unless some gross perversity is shown in it particularly when the issue revolves around exercise of a discretion vested in the Authority by law.
4. In these circumstances when we do not find any perversity in the order we restrain our hands in granting any interference to the order but leave it to the Authority to consider the prayer of the appellant in case the appellant approaches it upon being so advised in this regard. We however make it clear that there is no mandate from this Court.
5. With the aforesaid observations the appeal is disposed of.

File be consigned to the record room.



Sd/-
JUSTICE MAHESH GROVER (RETD.)
CHAIRMAN

Sd/-
ER. ASHOK KUMAR GARG, C.E. (RETD.),
MEMBER (ADMINISTRATIVE/TECHNICAL)

October 17, 2022
DS

Certified To Be True Copy
Chandigarh
Registrar
Real Estate Appellate Tribunal Punjab
Chandigarh

28/10/2022