

20.12.2023

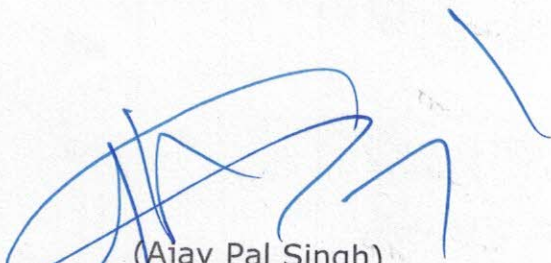
Surjit Singh Vs Punjab Urban Planning & Dev. Authority

Present : Complainant in person
Shri Bhupinder Singh, Advocate for the respondent.

Arguments were heard today. It was pointed out by the learned Counsel for respondent that offer of possession was made vide letter dated 27.05.2020. However, it was noted that this letter of offer of possession was never produced before this Authority at the time of hearing the original complaint under Section 31 of the Act. It was pointed out by the complainant that the Hon'ble Appellate Tribunal, Punjab has upheld the order of this Authority and, therefore, the offer of possession letter of the year 2020 would not have any significance. This authority has considered the arguments of both sides and is of the view that the offer of possession made in the year 2020 cannot be considered as a valid offer of possession keeping in view the order of this Authority dated 17.11.2021 and the order of the Hon'ble Appellate Tribunal, Punjab dated 04.08.2022, upholding the order of this Authority. In the circumstances, it is ordered as follows:-

- 1) The complainant is hereby directed to make an application before the Hon'ble Real Estate Appellate Tribunal, Punjab for release of an amount of Rs.1,83,468/-;
- 2) In addition, the respondent will pay a further sum of Rs.5,76,269.00 i.e. w.e.f. 02.02.2017 till 20.12.2023 at the rate of 9.30% on Rs.9,00,000/- being the interest calculated as per Annexure-A within thirty days of this order.
- 3) The respondent is directed to make the offer of possession to the complainant within two weeks' time of this order. The complainant has stated that he has visited the site and he is agreeable to take possession on "as is where is basis".
- 4) The complainant would take possession within two weeks' time of the receipt of offer of possession by the respondent.


With the above observations, the execution application stands disposed of. The file be consigned to record room.



(Ajay Pal Singh)
Member



(Satya Gopal)
Chairperson



(Rakesh Kumar Goyal)
Member

Details of Interest Calculation

Case Title- Surjit Singh vs Punjab Urban Planning and Development Authority

Interest calculated from	Amount	Interest calculated till	ROI	No. of Days	Interest Amount
02-02-2017	9,00,000.00	20-12-2023	9.30	2,513	5,76,269.00
	9,00,000.00				5,76,269.00

Interest	5,76,269.00
Total	5,76,269.00