

**Real Estate Regulatory Authority, Punjab**  
First Floor, Block-B, Plot No. 3, Sector-18 A, Madhya Marg, Chandigarh – 160018

**Before the Bench of Sh. Rakesh Kumar Goyal, Member.**


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| 1.  | <b>Execution Application No.</b>                           | :- | 101/2022 IN GC No. 0274/2021   |
| 2.  | <b>Name &amp; Address of the complainant (s)/ Allottee</b> | :- | Sh. Ashish Bhatia r/o House No. 73, Sector-9, Chandigarh - 160009                      |
| 3.  | <b>Name &amp; Address of the respondent (s)/ Promoter</b>  | :- | ATS Infrabuild Pvt. Ltd., 711/92 Deepali, Nehru Place, New Delhi – 110019.             |
| 4.  | <b>Date of filing of complaint</b>                         | :- | 19.10.2022   |
| 5.  | <b>Name of the Project and Address</b>                     | :- | <b>Casa Espana</b>   |
| 6.  | <b>RERA Registration No. of Project</b>                    | :- | PBRERA-SAS80-PR0086  |
| 7.  | <b>Name of Counsel for the complainant, if any.</b>        | :- | Sh. Munish Kapila, Advocate.   |
| 8.  | <b>Name of Counsel for the respondent, if any.</b>         | :- | Sh. Hardeep Saini, Advocate.   |
| 9.  | <b>Section and Rules under which order is passed</b>       | :- | Section 40(1) of the RERD Act, 2016 r.w. Rule 24 and 25 of Pb. State RERD Rules, 2017. |
| 10. | <b>Date of Order</b>                                       | :- | <b>01.02.2024</b>  |

**Order u/s. 40(1) of Real Estate (Regulation & Development) Act, 2016 read with Rules 24 and 25 of Pb. State Real Estate (Regulation & Development) Rules, 2017.**

Today, the matter was listed for arguments. However, Sh. Munish Kapila, Ld. Counsel for the applicant has filed calculation sheet stating that a recovery certificate of Rs.27,40,716/- may be issued. He submitted that some part payment on account of interest on the delayed period (except the due amount of Rs.27,40,716/-) had already been received by the applicant. He further stated that the applicant/complainant is satisfied with the possession taken over by him in the month of March, 2023 alongwith the part payments of Rs.18,27,144/- (DD Dated 25.05.2023 amounting to Rs.4,56,786/- and DD Dated 18.10.2023 amounting to Rs.13,70,358/-) received subsequently by the complainant from the respondent. Ld. Counsel for the applicant further requested to issue recovery certificate for Rs.27,40,716/- on the due amount. Ld. Counsel for the respondent has no objection over the calculation submitted by the applicant/complainant. It is also submitted that by the Ld. Counsel for the respondent that respondent has not filed any appeal against the said order passed u/s. 31 of the RERD Act, 2016.

In these circumstances, the respondent is directed to pay the balance interest against the delayed period i.e., Rs.27,40,716/- to the applicant/complainant immediately. In view of the above observations, the execution application is **allowed**. Recovery Certificates be issued to the concerned District Collector. File be consigned to record room.

**Chandigarh**  
**Dated: 01.02.2024**

  
**(Rakesh Kumar Goyal),**  
**Member,**  
**RERA, Punjab**

A copy of the above order may be sent by the Registry of this Authority to the followings as well as for their further necessary action:-

1. Sh. Ashish Bhatia r/o House No. 73, Sector-9, Chandigarh – 160009
2. ATS Infrabuild Pvt. Ltd., 711/92 Deepali, Nehru Place, New Delhi – 110019.
3. The Master File
4. The Record File.

*Sawan  
Kumar*

(Sawan Kumar),  
P.A. to Member (RKG),  
RERA, Punjab.