



## 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, Chairman.**

Phone No. 0172-5139800, email id: [pschairrera@punjab.gov.in](mailto:pschairrera@punjab.gov.in) & [pachairrera@punjab.gov.in](mailto:pachairrera@punjab.gov.in)

- |  |   |
|--|---|
| 1. Execution Application No.                                 | :- 77/2022 IN GC No. 0390/2021  |
| 2. Name & Address of the Applicant-Complainant (s)/ Allottee | :- 1. Sh. Anurag & Sons through Shri Anurag Goyal r/o House No. 561, Sector 8-B, Chandigarh - 160018<br>2. Ms. Anita Gupta w/o Sh. Rakesh Gupta, r/o House No. 164, Sector 11-A, Chandigarh – 160011.             |
| 3. Name & Address of the respondent (s)/ Promoter            | :- 1. Sukhm Infrastructure Pvt. Ltd., Aeropolis City, Sector 66-A, SAS Nagar, Mohali, Punjab – 160062.<br>2. Aeropolis Infrastructure Pvt. Ltd., Aeropolis City, Sector 66-A, SAS Nagar, Mohali, Punjab – 160062. |
| 4. Date of filing of Execution Application                   | :- 05.01.2023   |
| 5. Name of the Project and Address                           | :- Aeropolis City   |
| 6. RERA Registration No. of Project                          | :- PBRERA-SAS81-PM0089  |
| 7. Name of Counsel for the Applicant-complainant, if any.    | :- Sh. Vipin Kumar and Sh. Mandeep Singh, Advocates   |
| 8. Name of Counsel for the respondent, if any.               | :- None.  |
| 9. Section and Rules under which order is passed             | :- Section 40(1) of the RERD Act, 2016 r.w. Rule 24 and 25 of Pb. State RERD Rules, 2017 against order dated 05.05.2022   |
| 10. Date of Order  | :- 24.03.2025   |

**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.**

The present application has been filed by the Applicant for execution of order dated 05.05.2022.

2. This Authority by way of an order u/s. 31 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred as the 'Act, 2016') dated 05.05.2022 has held in the case 'Anurag & Sons & Anr. Vs. Sukhm Infrastructure & Anr.' that the respondent shall be liable to pay interest @ 9.40% per annum w.e.f. 09.11.2015 till a valid offer of possession.

3. The Respondents neither handed over the possession to the applicant nor has paid interest. The order passed u/s. 31 of the Real Estate (Regulation and Development) Act, 2016 dated 05.05.2022 was duly served on the Respondent.

4. Accordingly, the present applicant filed the execution application No. 77 of 2022, before Real Estate Regulatory Authority, Punjab (Henceforth referred as Authority) requesting to direct the respondents to comply with the order dated 05.05.2022 passed u/s. 31 of the RERD Act, 2016.





5. In consequence of filing of execution application, a notice was issued to Respondents i.e., M/s. Sukhm Infrastructure Pvt. Ltd. & M/s. Aeropolis Infrastructure Pvt. Ltd. to appear and submit reply. However, the respondent joined the proceedings on 01.06.2024 and till date no reply has been by the respondents. Thereafter, sufficient opportunities were given to the respondents to file their reply alongwith explaining the reasons for not filing the reply on the dates prescribed vide order dated 03.08.2024; 14.09.2023; 17.11.2023; 29.12.2023; 24.05.2024; 03.09.2024; 21.10.2024; 12.11.2024; 13.01.2025 and 11.02.2025. Today again when the matter was taken-up no one again attended the proceedings and the reminder notices alongwith copy of the order were duly served upon the respondents through post/email. Summons u/s. 35 of the RERD Act, 2016 were also issued to the respondents.

6. Non-filing of the calculation or not objecting upon the amount claimed by the application in the present execution application *tantamounts* to admittance of this fact that the amount which has been claimed by the applicant in this execution application is acceptable to the respondent and he have no objection in this regard.

7. In view of the above factual matrix, the respondents could not comply with the orders passed u/s. 31 of the Real Estate (Regulation and Development) Act, 2016 dated 29.11.2023. Despite availing sufficient opportunities in the present execution, no one appeared on behalf of respondent therefore its **defence is struck off** and the present execution application is **allowed** which has been claimed by the applicant in this execution application. Ld. Counsel for the applicant further stated that the respondent had not filed any appeal against the said order dated 05.05.2022 passed u/s. 31 of the RERD Act, 2016 till date.

8. Based on the written and oral submissions of the applicant and the material available on record, it is held that the respondent had failed to comply with orders passed u/s. 31 of the Real Estate (Regulation and Development) Act, 2016 dated 05.05.2022. In these circumstances, the respondent is directed to pay delayed interest on the principal amount i.e., Rs.28,67,500/- paid by the applicant w.e.f. 09.11.2015 till a valid offer of possession. Arrears of delayed interest accrued on it till 31.03.2025 i.e., Rs.25,15,753/-. The period for payment of interest will be considered from the next month in which payment was effected by the allottee to the previous month of the date in which payment has been effected by the promoter. The details of payment made and interest accrued thereupon is given as under:-

Principal Amount	Period (in months)	Delay of months	Interest rate (@ 7.40% SBI's Highest MCLR Rate + 2%)	Interest amount due Upto 28.02.2025
A	B	C	D	E
Rs.28,67,500/-	(01.12.2015 to 31.03.2025)	112 months	@9.40%	25,15,753/-

11. The amount due upto 31.03.2025 amount to Rs.25,15,753/- and the respondents are directed to make the payments immediately. No further time is granted since the order u/s.






31 of the RERD Act, 2016 was passed on 05.05.2022 and the respondents were directed to make the said payment within 90 days of the order.

12. Further, the respondent will make payment of Rs.22,462/- per month for the delayed period from 01.04.2025 on account of interest on delayed period. The respondents i.e. M/s.Sukhm Infrastructure Pvt. Ltd. & Aeropolis Infrastructure Pvt. Ltd. is therefore held liable for an amount of Rs.25,15,753/- as on 01.04.2025 and further in addition of Rs.22,462/- as interest will be added per month till the recovery is fully affected. The respondent is further directed to handover the due possession at the earliest. The recovery may be effected accordingly. In the result, the execution application is **allowed**. The Secretary of this Authority is hereby directed to further issue the Recovery Certificate and send it to the appropriate authority for necessary action.


**Chandigarh**  
**Dated: 24.03.2025**



  
**(Rakesh Kumar Goyal),**  
**Chairman,**  
**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. Anurag & Sons through Shri Anurag Goyal r/o House No. 561, Sector 8-B, Chandigarh - 160018
2. Ms. Anita Gupta w/o Sh. Rakesh Gupta, r/o House No. 164, Sector 11-A, Chandigarh - 160011.
3. Sukhm Infrastructure Pvt. Ltd., Aeropolis City, Sector 66-A, SAS Nagar, Mohali, Punjab - 160062.
4. Aeropolis Infrastructure Pvt. Ltd., Aeropolis City, Sector 66-A, SAS Nagar, Mohali, Punjab - 160062.
5. The Secretary, RERA, Punjab.
6. Director (Legal), RERA, Punjab.
7. The Master File.
8. The Record File.

  
**(Sawan Kumar),**  
**P.A. to Chairman**  
**RERA, Punjab.**