



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 & pachairrera@punjab.gov.in

1. **Execution Application** :- IN 1565/2020
2. **Name & Address of the Applicant-Complainant (s)/ Allottee** :-
 1. Sh. Gurjit Singh s/o Sh. Ranbir Singh
 2. Ms. Rashpal Kaur w/o Sh. Gurjit Singh
 (Both r/o House No. 2462, Sector 40-C, Chandigarh - 160036)
3. **Name & Address of the respondent (s)/ Promoter** :- Ansal Properties and Infrastructure Ltd., SCO 183-184, 1st Floor, Sector 9-C, Madhya Marg, Chandigarh –160009.
4. **Date of filing of Execution Application** :- 08.12.2021
5. **Name of the Project and Address** :- Golfink-II, Sector 116, Mohali, Distt. SAS Nagar.
6. **RERA Registration No. of Project** :- PBRERA-SAS80-PR0271
7. **Name of Counsel for the Applicant-complainant, if any.** :- Sh. Himanshu Raj, Advocate
8. **Name of Counsel for the respondent, if any.** :- Sh. Prateek Garg, Advocate for the respondent.
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 13.10.2021.
10. **Date of Order** :- 24.02.2025

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.

1. 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 13.10.2021 has held in the case 'Gurjit Singh & Anr. Vs. Ansal Properties and Infrastructure Ltd. in GC No. 1565/2020' that the respondent shall be liable to pay interest @ 9.30% per annum w.e.f. 27.01.2015 till a valid offer of possession. For ready reference, relevant extract of the order dated 13.10.2021 is reproduced hereunder:-

"7. This complaint is accordingly accepted and the respondent is directed to pay interest as prescribed under Rule 16 of the Punjab State Real Estate (Regulation and Development) Rules, 2017 for every month of delay from 27.01.2015 till a valid offer of possession is made to the complainants. Further, since the initial payment was made way back in the year 2009 it is directed that the interest accrued till date shall be paid within a period of 3 months. The rest of the interest be adjusted at the time of delivery of valid possession."

2. As alleged by the complainant, the Respondent neither handed over the possession to the applicant nor has paid interest, to which he filed GC No. 0479/2021 titled as Gurjit Singh & Anr. Vs. Ansal Properties and Infrastructure Ltd. u/s 63 of the RERD Act, 2016 for imposition of Penalty and verbally requested to issue recovery certificates.

Separate order in GC No. 0479/2021 had been given. Further as requested by the



applicant's counsel that till date, order passed u/s. 31 of the RERD Act, 2016 titled as '*Gurjit Singh & Anr. Vs. Ansal Properties and Infrastructure Ltd. in GC No. 1565/2020*' had neither been complied with by the respondent nor it had paid any amount, therefore recovery certificates may kindly be issued.

3. In view of the above, 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 13.10.2021. In these circumstances, the respondent is directed to pay delayed interest on the principal amount i.e., Rs.61,85,000/- paid by the applicant w.e.f. 27.01.2015 till a valid offer of possession. Arrears of delayed interest accrued on it till 28.02.2025 i.e., Rs.69,22,561/-. 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 (@ 7.30% SBI's Highest MCLR Rate + 2%)	Interest amount due Upto 28.02.2025
A	B	C	D	E
Rs.61,85,000/-	(01.02.2015 to 28.02.2025)	10 years 1 month	@9.30%	Rs.69,22,561/-

4. The amount due upto 28.02.2025 amount to Rs.69,22,561/- 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 13.10.2021 and the respondents were directed to make the said payment within 90 days of the order.

5. Further, the respondent will make payment of Rs.57,211/- per month for the delayed period from 01.03.2025 on account of interest on delayed period. The respondent is therefore held liable for an amount of Rs.69,22,561/- as on 28.02.2025 and further in addition of Rs.57,211/- 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 immediately and send it to the appropriate authority for necessary action.

Chandigarh
Dated: 24.02.2025




(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. Gurjit Singh s/o Sh. Ranbir Singh
2. Ms. Rashpal Kaur w/o Sh. Gurjit Singh

(Both r/o House No. 2462, Sector 40-C, Chandigarh - 160036)

3. Ansal Properties and Infrastructure Ltd., SCO 183-184, 1st Floor, Sector 9-C, Madhya Marg, Chandigarh - 160009.
4. The Complaint File.
5. The Master File.



Sawan Kumar

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