



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

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|--|----|---|
| 1. Execution Application No. | :- | 08/2024 in GC No. 1550/2020 |
| 2. Name & Address of the Complainant | :- | Consolidated Maintenance Company, SCO No. 197, Cabin No. 4, Second Floor, Sector 16, Panchkula, Haryana – 134108. |
| 3. Name & Address of the Respondent | :- | Parminder Kaur w/o S.P. Singh Dhaliwal, Flat No. 301-B, Tower-B, 3 rd Floor, Palm Village, Sector 126, SAS Nagar, Mohali – 140301. |
| 4. Date of filing of Execution Application | :- | 24.01.2024 |
| 5. Name of Counsel for the complainant, if any. | :- | Sh. Hoshiar Chand, Advocate |
| 6. Name of Counsel for the respondent, if any. | :- | None for the respondent. |
| 7. 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 for execution of order dated 06.10.2020. |
| 8. Date of Order | :- | 06.05.2025 |

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 06.10.2020.

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 06.10.2020 has held in the case '*Consolidated Maintenance Company Vs. Parminder Kaur in GC No. 1550/2020*' that the respondent shall be liable to pay Rs.52,092/-. For ready reference, relevant extract of order dated 06.10.2020 is reproduced hereunder:-

"As a result of the above discussion, the complaint is accepted and the respondent is directed to pay a sum of Rs.52,092/- (Rs.46,304/- due upto 31.12.2019 plus a further Rs.5,788/- due upto 15.02.2020) within a period of 2 months from the date of this order."

3. The Respondent neither paid the principal amount nor has paid its interest. The order passed u/s. 31 of the Real Estate (Regulation and Development) Act, 2016 dated 06.10.2020 was duly served on the Respondent.

4. Accordingly, on 24.01.2024 the present application filed the execution application No. 08 of 2024, before Real Estate Regulatory Authority, Punjab (Henceforth referred as Authority) requesting to direct Parminder Kaur to pay a sum of Rs.52,092/- within a period of 2 months from the date of this order.

5. In consequence of filing of execution application, a notice was issued to Respondent i.e., Ms. Parminder Kaur to appear and submit reply. On 20.02.2024, notice



issued to the respondent was received back 'Undelivered' with remarks 'No Such Person'. Subsequently, fresh address was provided by the applicant, to which, on 10.01.2025 another notice was issued to the respondent. As per the remarks of the Postal Authority, the same was 'Refused' by the respondent on 16.01.2025. Subsequently, despite refusal two more opportunities were given to the respondent vide order dated 17.03.2025 and 06.05.2025. Today, again no one attended the proceedings on behalf of respondent, which *tantamounts* that it had no objection upon the calculation submitted by the applicant alongwith the execution application. Ld. Counsel for the applicant further stated that the respondent had not filed any appeal against the said order dated 06.10.2020 passed u/s. 31 of the RERD Act, 2016 till date.

6. In view of the above factual matrix, the respondent could not comply with the orders passed u/s. 31 of the Real Estate (Regulation and Development) Act, 2016 dated 06.10.2020 and requested to issue recovery certificate for non-compliance of abovesaid orders. 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 it has no objection in this regard.


7. Based on the written and oral submissions of both the applicant and respondent, 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 06.10.2020. In these circumstances, the respondent is directed to pay a sum of Rs.52,092/- immediately. It is hereby also clarified that order passed on 06.10.2020 u/s. 31 of the RERD Act, 2016 no interest upon the amount of Rs.52,092/-. No further time is granted since the order u/s. 31 of the RERD Act, 2016 was passed on 06.10.2020 and the respondents were legally bound to make the said payment within 2 months of the order.

8. Further, The recovery may be effected accordingly. In the result, the execution application is **allowed**. The amount of Rs.52,092/- as provided u/s. 40 (1) of the Real Estate (Regulation and Development) Act, 2016 will be calculated as "Land Revenue" by the Competent Authority under the provisions of "Land Revenue Act, 1887". The Secretary of this Authority will issue a recovery certificate.

9. The Secretary of the Real Estate Regulatory Authority, Punjab is hereby directed to issue the recovery certificate immediately. The promoter (judgment debtor) and the complainant (decree holder) are directed to inform the Secretary of this Authority for any payment effected in compliance with the recovery certificate or call it back after it is fully satisfied and update the data of this Authority with the said transaction of payment.

Chandigarh
Dated: 06.05.2025




(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. Consolidated Maintenance Company, SCO No. 197, Cabin No. 4, Second Floor, Sector 16, Haryana – 13418.
2. Ms. Parminder Kaur w/o S.P. Singh Dhaliwal, Flat No. 301-B, Tower-B, 3rd Floor, Palm Village, Sector 126, SAS Nagar, Mohali - 140301
3. The Secretary, RERA, Punjab.
4. The Director (Legal).
5. The Complaint File.
6. The Master File.



Sawan Kumar

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