



## 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. :- 30/2025 in GC No.05952022.
2. Name & Address of the complainant (s)/ Allottee :-
  1. Ms. Supriya Sharma
  2. Ms. Sarla Devi
 (Both r/o House No. 1136, Sector 18/C, Chandigarh- 160018)
3. Name & Address of the respondent (s)/ Promoter :- Address Infrastructures Pvt. Ltd.  
The Address, Sector 17, PR-4, Near International Cricket Stadium, New Chandigarh, SAS Nagar (Mohali), Punjab-160014.
4. Date of filing of Execution Application :- 12.05.2025 (Diary No.3113)
5. Name of the Project and Address :- The Address
6. RERA Registration No. of Project :- PBRERA-SAS80-PR0178
7. Name of Counsel for the complainant, if any. :- 1. Sh.Akhil Sharma, husband of the complainant.
8. Name of Counsel for the respondent, if any. :-
  1. None for Respondent No.1.
  2. None for Respondent No.2.
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 for execution of order dated 14.01.2025.
10. Date of Order :- 14.08.2025

**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 execution application has been filed by the Applicant for execution of order dated 14.01.2025 (passed u/s 31 of the RERD Act, 2016).

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 14.01.2025 has held in the case 'Supriya Sharma & Anr. Vs. M/s. Address Infrastructures Pvt. Ltd. & Anr. in GC No.0595/2022' that the complainant is entitled for interest upon the delayed period w.e.f. 01.12.2021 (i.e. from the date of possession) till date of valid offer of possession is made. For ready reference, relevant extract of order dated 04.08.2022 is reproduced hereunder:-

"13. In view of the above, the complaint is **Partly Allowed** and complainant is entitled for interest upon the delayed period w.e.f. 01.12.2021 (i.e. from the date of possession) @ 11.10% (i.e. 9.10% SBI's Highest MCLR Rate applicable as on 14.01.2025 + 2%) till the date of valid offer of possession, as per Rule 16 of the Punjab State Real Estate (Regulation & Development) Rules, 2017. The respondent is directed to hand over the possession to the complainants at the earlier. The complainant is also directed to pay the balance payment to the respondent at the time of valid offer of possession after deduction from the interest accrued from the delayed possession. Further, it is also pertinent to note here that till the clearing of balance EMIs which are to be paid to respondent no.2 by the complainants, the first lien over the interest accrued will be of respondent





no.2. 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. Therefore, the calculation of delayed interest upto 31.12.2024 is calculated as follows:-

Interest payable from	Principal Amount Paid	Interest Calculated till	Rate of interest as per order	Tenure	Interest Amount
1	2	3	4	5	6
01.12.21	39,37,500/-	31.12.24	11.10%	37 months	13,47,614/-

14. The total amount due towards delayed interest upto 31.12.2014 is Rs.13,47,614/- and the respondent no.1 is directed to make the payments within 90 days to the complainants and offer valid offer of possession. After, 01.01.2025 the promoter is liable to pay an amount of Rs.36,422/- per month as interest till the possession is not offered to the complainants."

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 14.01.2025 was duly served on the Respondent.

4. Accordingly, vide Diary No. 3113 dated 12.05.2025, the present applicant filed the execution application No.30 of 2025, before Real Estate Regulatory Authority, Punjab (Henceforth referred as Authority) requesting to direct the respondents to comply with the order dated 14.01.2025 passed u/s. 31 of the RERD Act, 2016.

5. In consequence of filing of execution application, notice to Respondents were issued to appear and submit reply/objection. However, the respondent No.1 joined the proceeding on 15.07.2025, but despite of notice upon respondent No.2, neither anyone attended the proceeding, nor had any reply been filed on its behalf. In the interest, another opportunity was given to both the respondents to file their reply/objections on or before 29.07.2025.

6. On 29.07.2025, no one attended the proceedings on behalf of any of the respondents, to which Sh.Akhil Sharma submitted that as per order dated 14.01.2025, Respondent No.1 had neither offered the possession nor it had paid any interest upon the delayed period. Further, it has also submitted that more than 6 months had already been passed since passing of the order, but nothing concrete has been done by respondent.

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 14.01.2025. Sh.Akhil Sharma husband of the complainant stated that the respondent had not filed any appeal against the said order dated 14.01.2025 passed u/s. 31 of the RERD Act, 2016 till date.

8. I have duly considered the contents of the complaint/execution application, reply filed. Based on the written and oral submissions of the applicant & respondent 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 14.01.2025. In the facts & circumstances of the case, the respondent No.1 had already





been directed to pay an Rs.13,47,614/- as delayed interest upto 31.12.2024, therefore, the respondent is 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 14.01.2025 and the respondent No.1 was directed to make the said payment within 90 days of the order. The details of the same, as on 31.07.2025, are as under:-

Interest payable from	Principal Amount Paid	Interest Calculated till	Rate of interest as per order	Tenure	Interest Amount
1	2	3	4	5	6
01.12.2021	39,37,500/-	31.07.2025	11.10%	44 months	16,02,563/-

9. Further, as already ordered, respondent No.1 will make payment of Rs.36,422/- per month for the delayed period from 01.08.2025 on account of interest on delayed period. The respondents i.e. M/s. Address Infrastructure Pvt. Ltd. is therefore held liable for a total amount of Rs.16,02,563/- (Rs.13,47,614/- + Rs.2,54,949/- interest from 01.01.2025 to 31.07.2025) and further in addition a sum of Rs.36,422/- as interest will be added per month from 01.08.2025 onwards till the due valid possession is offered. The respondent is further directed to make the payment of Rs.16,02,563/- immediately and handover the due & further a sum of Rs. 36,422/- per month till the valid possession is offered. In the result, the Execution Application is **allowed**.

10. The amount of Rs.16,02,563/- as interest is duly awarded as per Section 18 of the RERD Act, 2016 read with Rule 16 of the Rules, 2017 and is held to be 'Land Revenue' under the provisions of Section 40(1) of the RERD Act, 2016. Therefore, this amount of Rs.16,02,563/- as interest will be collected as Land Revenue by the Competent Authority prescribed & authorized under the Punjab Land Revenue Act, 1887. In case, the promoter-cum-respondent fails to make the payment voluntarily on receiving this order. Therefore, the Secretary of the Authority is directed to effect the recovery accordingly by issuing a Debt Recovery Certificate (DRC). The said Debt Recovery Certificate will be sent to the Revenue Authorities for recovery of Rs.16,02,563/-. The Revenue Authorities will recovery and add recovery on amount of Rs.36,422/- per month (whole month) also in addition to the amount of Rs.16,02,563/- for any delay in payment by Judgment Debtor/Promoter from 01.08.2025 onwards. Seema Kochar & Anoop Kochar are held to be Decree Holder of an amount of Rs.16,02,563/- plus Rs.36,422/- per month (after 01.08.2025) and M/s. Address Infrastructures Pvt. Ltd. as Judgment Debtor. Interest calculated is given in the table given supra. Further the promoter i.e. M/s. Address Infrastructures Pvt. Ltd. is directed to construct the project and Flat No.303 at 3<sup>rd</sup> Floor in Tower D having a super area of 1150 sq.ft. in the project named 'the Address' at Village Togan, New Chandigarh, District SAS Nagar (Mohali), expeditiously so as to handover the due and valid possession as per procedure prescribed under the RERD Act, 2016 and related laws and making due compliances.

11. The respondent no. 2 did not attend the proceedings and made any representative. The name of M/s. HDFC is deleted from the array of list of respondents. It is also held that since there is no specific representation or assertion by HDFC for its claim



on interest being asked and awarded and Unit No. 303 at 3<sup>rd</sup> Floor in Tower D is still available with the loan debtor i.e. complainants and in order u/s. 31 of the RERD Act, 2016 dated 14.01.2025 there is no mention of any right of HDFC (respondent no. 2) on the interest allocated. Thereafter, the promoter is directed to make the payment to the complainant(s) directly. In case, the promoter gets any letter ordered from Respondent no.2 being party in any agreement including tripartite agreement then it (promoter) will first take the consent of the complainants before making payment to HDFC (Respondent no. 2). Both the parties i.e. complainants and respondents are hereby directed to inform the Secretary of this Authority on the offer of due possession and payment given/received to/by the complainants and or HDFC for necessary action in his part.

12. 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: 14.08.2025**



  
(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. Ms. Supriya Sharma
2. Ms. Sarla Devi  
(Both r/o House No. 1136, Sector 18/C, Chandigarh- 160018)
3. Address Infrastructures Pvt. Ltd., The Address, Sector 17, PR-4, Near International Cricket Stadium, New Chandigarh, Sahibzada Ajit Singh Nagar (Mohali), Punjab -160014
4. Housing Development Finance Corporation Ltd, SCO 153-155, Sector 8-C, Chandigarh - 160009
5. The Secretary, RERA, Punjab.
6. The Director (Legal).
7. The Complaint File.
8. The Master File.

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