



## Real Estate Regulatory Authority, Punjab

First Floor, Block-B, Plot No. 3, Sector-18 A, Madhya Marg, Chandigarh – 160018

**Before the Real Estate Regulatory Authority, Punjab.**

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.** :- 18/2025 in GC No. 82/2021UR
2. **Name & Address of the Applicant-Complainant (s)/ Allottee** :- Sh. Rupinder Singh Cheema S/o Sh. Surjan Singh through GPA holder Jagmohan Singh Kahlon S/o Harbhajan Singh Kahlon, R/o House No. 18, Sector 69, Mohali.
3. **Name & Address of the respondent (s)/ Promoter** :- Preet Land Promoters & Developers Pvt. Ltd., Preet City, Sector 86, SAS Nagar, Mohali.
4. **Date of filing of Execution Application** :- 24.03.2025
5. **Name of the Project and Address** :- Preet City, Sector 86, Mohali
6. **RERA Registration No. of Project** :- PBRERA-SAS81-PR0803
7. **Name of Counsel for the Applicant-complainant, if any.** :- Sh. Mandeep Singh, Advocate and Sh. Vipin Kumar, Advocate
8. **Name of Counsel for the respondent, if any.** :- Sh. Parth Munjal, Advocate
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 26.11.2021.
10. **Date of Order** :- 16.07.2025

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

The present application has been filed by the Applicant for execution of order dated 26.11.2021.

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 26.11.2021 held in the case '*Rupinder Singh Cheema Vs. M/s Preet Land Promoters & Developers Pvt. Ltd.*' that the respondent shall be liable to pay interest @ 9.30% per annum w.e.f. 15.03.2015.

3. The order passed u/s. 31 of the Real Estate (Regulation and Development) Act, 2016 dated 26.11.2021 was duly served on the Respondent. Since, the respondent did not comply with the said order dated 26.11.2021 and has failed to pay interest on delayed possession, the present applicant / complainant vide Diary No. 1975 dated 24.03.2025 filed the present execution application No. 18 of 2025, before Real Estate Regulatory Authority, Punjab (Henceforth referred as Authority) requesting to direct the respondent to comply with the order dated



26.11.2021 passed u/s 31 of the RERD Act, 2016. It has been submitted by the applicant / complainant that he had received interest amount of Rs.15,00,000/- till date from the respondent / promoter.

4. In consequence of filing of execution application, a notice was issued to Respondent i.e. M/s Preet Land Promoters & Developers Pvt. Ltd. to appear and submit reply. Despite service of notice and reminders, no reply has been filed by the respondent.

5. 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 it has no objection in this regard.

6. We have duly considered the order passed u/s 31 dated 12.05.2021; the application filed by the complainant and arguments of the counsel. In view of the above factual matrix, it is held that the respondents could not comply with the orders passed u/s. 31 of the Real Estate (Regulation and Development) Act, 2016 dated 26.11.2021. Despite service of notice and availing opportunities i.e 21.05.2025 & 16.07.2025 in the present execution, no reply has been filed on behalf of respondent and further no calculation sheet has been filed by the respondent, therefore, **the defence of the respondent is struck off** and the present matter is being decided on the basis of the material available on record. The Ld. Counsel for the applicant stated that the respondent had not filed any appeal against the said order dated 26.11.2021 passed u/s. 31 of the RERD Act, 2016 till date. The order passed u/s 31 of the RERD Act, 2016 dated 28.07.2021 titled '*Rupinder Singh Cheema v. Preet Land Promoters & Developers Pvt. Ltd.*' reads as under:-

*Ans* "8. The Authority, hereby, passes this order and issues the following directions:-

- i. The respondent shall pay interest @ 9.30% per annum (today's highest MCLR rate of 7.30% plus 2%) w.e.f. 15.03.2015 i.e. the date by which possession was promised to be offered, till the date of this order on the amount paid by the complainant. This amount shall be paid within 90 days of this order.
- ii. In the second party, the respondent shall pay interest @ 9.30% per annum (today's highest MCLR rate of 7.30% plus 2%) from the date after the date of this order, till the date of valid offer of possession of the unit to the complainant. Interest for every month of delay shall be paid by the promoter to the allottee before 10<sup>th</sup> of the subsequent month."



7. Based on the written and oral submissions of the applicant and the material available on record, it is held that the **respondent i.e. M/s Preet Land Promoters & Developers Pvt. Ltd.** had failed to comply with orders passed u/s 31 of the Real Estate (Regulation and Development) Act, 2016 dated 26.11.2021. The complainant had paid an amount of Rs.32,75,000/- (Rs.11,75,000/- + Rs.17,75,000/- + Rs.1,25,000/- + Rs.2,00,000/-) as affirmed in the order passed u/s 31 dated 26.11.2021. Further, the complainant is entitled for interest w.e.f. 16.03.2015 @ 9.30% as duly mentioned in the order. The amount was payable from 15.03.2015 till the passing of the date of order i.e. 26.11.2021 within 90 days i.e. 25.02.2022. Therefore, it was payable on monthly basis to the allottee before 10<sup>th</sup> of the subsequent month. As per allottee, the promoter has paid Rs.15,00,000/- so far to him after the order. For the sake of convenience and clarity, the interest is calculated as below:-

**TABLE**

Interest payable from	Principal Amount	Interest rate as per order (@ 7.30% SBI's Highest MCLR Rate + 2%)	Tenure (in months)	Interest Amount due upto 31.07.2025	Interest Amount already paid	Balance Interest
1	2	3	4	5	6	7
01.04.2015	Rs.32,75,000/-	<b>09.30%</b>	107	Rs.31,47,275/-	Rs.15,00,000/-	Rs.16,47,275/-

8. The amount due from 01.04.2015 to 31.07.2025 amounts to Rs.16,47,275/- (after deducting the interest amount already paid). The period for payment of interest will be considered from the next month in which possession will be offered by the allottee to the previous month of the date in which payment has been effected by the promoter. Therefore, an amount of Rs.16,47,275/- as accrued interest upto 31.07.2025 is payable immediately.

9. In addition to the above adjudicated dues, the respondent shall remain liable to pay further monthly delay interest at the rate of Rs.25,381/- per month from 01.08.2025 onwards, which shall continue to accrue until the date a valid and lawful offer of possession of the unit is made to the complainant or until such time as full compliance with the order is achieved and will be adjusted with the arrears or amount payable at the time of handing over of the possession.

10. The amount of Rs.16,47,275/- and further a sum of Rs.25,381/- per month till valid offer of possession is made are held to be "Land Revenue" prescribed u/s. 40(1) of the RERD Act, 2016 read with Rule 24 of the Punjab State Real Estate (Regulation & Development) Rules, 2017 for the purposes of collecting of it from the promoter under the Punjab Land Revenue Act, 1887. The sum of Rs.16,47,275/- and Rs.25,381/- as mentioned above will be collected by the



jurisdictional authorities prescribed under the Punjab Land Revenue Act, 1887. The respondent is further directed to handover the due possession at the earliest and both the complainant and respondent are directed to inform the Secretary of this Authority and jurisdictional revenue authorities under the Punjab Land Revenue Act, 1887 of possession as soon as it is offered for further necessary action.

11. The Secretary of this Authority is directed to issue the Recovery Certificate immediately for recovery of the adjudicated amount of Rs.16,47,275/- as interest payable till 31.07.2025 and Rs.25,381/- per month from 01.08.2025 will accrue till the due possession is offered by the respondent. **The promoter M/s Preet Land Promoters & Developers Pvt. Ltd. is held liable to pay the amount of Rs.16,47,275/- and further a sum of Rs. 25,381/- per month from 01.08.2025 onwards. The Recovery Certificate is directed to be issued by the Secretary of the Authority for a sum of Rs.16,47,275/- and with a direction to further add Rs.25,381/- per month as interest till the due possession is offered and send it to the jurisdictional authority under Punjab Land Revenue Act, 1887 to recover the same as "Land Revenue" and for necessary action. The said amounts are to be collected as "Land Revenue" as per the provisions of Punjab Land Revenue Act, 1887 and Punjab Land Revenue Rules, 1909 by the authorities prescribed /authorized under the said Act and Rules. Further, Sh. Rupinder Singh Cheema is held as Decree Holder and M/s Preet Land Promoters & Developers Pvt. Ltd. as Judgment Debtor for the purposes of recovery of the amounts due as calculated in the table supra.**

12. The respondent is directed to pay the sum of Rs.16,47,275/- calculated as interest from 01.04.2015 to 31.07.2025 and Rs.25,381/- per month as interest from 01.08.2025 onwards till due possession is handed over to the allottee i.e. complainant Sh. Rupinder Singh Cheema. The respondent (judgment debtor) and the complainant (decree holder) are directed to inform the Secretary of this Authority regarding any payments made towards compliance, so that appropriate entries may be made in the official records.

13. In the result, the present Execution Application is **allowed**.

**Chandigarh**

**Dated: 16.07.2025**


  
(Binod Kumar Singh)  
Member

  
(Rakesh Kumar Goyal)  
Chairman

  
(Arunvir Vashista)  
Member

A copy of the above order be sent to the followings further necessary action:-

1. Sh. Rupinder Singh Cheema S/o Sh. Surjan Singh through GPA holder Jagmohan Singh Kahlon S/o Harbhajan Singh Kahlon, R/o House No. 18, Sector 69, Mohali.
2. M/s Preet Land Promoters & Developers Pvt. Ltd., Preet City, Sector 86, SAS Nagar, Mohali.
3. The Secretary, RERA, Punjab.
4. Director (Legal), RERA, Punjab.
5. The Master File.
6. The Record File.

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