

**BEFORE SHRI BALBIR SINGH, ADJUDICATING OFFICER,  
THE REAL ESTATE REGULATORY AUTHORITY, PUNJAB  
PLOT NO.3, BLOCK-B, FIRST FLOOR, SECTOR 18A, MADHYA MARG,  
CHANDIGARH.**

Complaint No.AdC 0046/2021UR  
Date of Decision: 09.03.2022

Davinder Singh son of Shri Malkeet Singh, resident of House No.1266,  
Sector 8-C, Chandigarh.

...Complainant

Versus

Jalandhar Improvement Trust, GT Road, MBD Market, Jalandhar, Punjab.

.....Respondent

Complaint under Section 31 of the Real Estate (Regulation and  
Development) Act 2016.

Present: Mr. Navdeep Singh Dhillon, Advocate, representative for the  
complainant.  
Ms. Kavita Arora, Advocate, representative for respondent

**ORDER**

1. The present complaint was filed by Mr. Davinder Singh against Jalandhar Improvement Turst under Section 31 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as "the Act") alongwith documents alleging violation of provisions of the Act.
2. The complainant had filed composite complaint for seeking the relief of refund, interest and compensation etc. Vide separate order of date, the present complaint was ordered to be segregated and one set of paper-book was ordered to be sent before Hon'ble Regulatory Authority regarding the claim of refund and interest sought by the complainant and qua relief of compensation case is before this Bench.
3. I have heard the learned authorized representative of the parties on the issue of maintainability of the complaint pertaining to unregistered project

namely '**Surya Enclave Extension, Jalandhar Improvement Trust**' and with their assistance have carefully gone through the entire record.

4. It would not be out of place to mention that the controversy regarding maintainability of the complaint in relation to unregistered ongoing project, as per judgment of the Hon'ble Apex Court in **Civil Appeal No.6745-6749 of 2021 titled M/s Newtech Promoters and Developers Pvt. Ltd. Vs. State of UP and others etc.** alongwith connected appeals decided on 11.11.2021 has already been decided by this Bench vide judgment dated 7.2.2022 passed in **Complaint No.0160 of 2021 UR-Bhupender Pal Singh Dhillon Vs. Punjab Urban Planning and Development Authority** holding that the "the present complaint, having been filed under Section 31 of the Act, in relation to the ongoing project which was not got registered would not be maintainable and the same is accordingly dismissed." Copy of the said judgment is being placed on record of this file.

5. In view of the said finding on the same issue by this Bench, the present complaint is also dismissed having been filed against unregistered ongoing project. However, the complainant would be at liberty to file fresh complaint after registration of the project of the case in hand with the RERA, Punjab.

Dated: 09.03.2022

  
Balbir Singh  
Adjudicating Office  
Real Estate Regulatory Authority