

**BEFORE SHRI BINOD KUMAR SINGH, MEMBER
REAL ESTATE REGULATORY AUTHORITY, PUNJAB**

Complaint No. 0030 of 2023
Date of Institution: 13.02.2023
Date of Decision: 02.09.2025

Jagroop Singh, # 2730, Phase VII, Sahibzada Ajit Singh Nagar,
Mohali, Punjab, Pin Code 160055

....Complainant

Versus

BAJWA DEVELOPERS, Sunny Business Centre, 5th Floor, New Sunny
Enclave, Sahibzada Ajit Singh Nagar (Mohali), Punjab, PIN Code
140301

...Respondent

Complaint in Form 'M' u/S 31 of the Real Estate
(Regulation and Development) Act, 2016, (the Act
of 2016) read with Rule 36(1) of the Punjab State
Real Estate (Regulation and Development) Rules,
2017 (the Rules of 2017).

**(Registration Number: PBRERA-SAS80-
PR0251)**

Present: Shri Sachin Jain, Advocate for complainant
None for respondent

ORDER

Complainant seek issuance of direction to respondent to deliver
possession of Plot no.115, measuring 275 sq. yards in Sector
123, (139 Acres) at 'Sunny Enclave Residential Township', Kharar,
District SAS Nagar, Mohali and to settle the matter with Owner of Plot
no.114 who is claiming his ownership on Plot no.115, sold by
respondent to complainant vide registered Sale Deed dated
06.01.2020.

2. Brief facts of the complaint submitted by complainant are that:

2.1 Complainant purchased Plot no. 115, measuring 275 sq. yards in Sector 123 at 'Sunny Enclave Residential Township', Kharar District SAS Nagar, Mohali developed by respondent.

2.2 It is submitted that Sale deed (**Annexure C-1**) of Plot No.115 was executed in favour of complainant by respondent on 06.01.2020 and thereafter Mutation was also sanctioned in his name on 26.02.2020 vide Mutation No.6275.

2.3 It is further averred that respondent issued possession/allotment letter (**Annexure C-2**) on 11.07.2022 in favour of complainant by charging Rs.4,000/- for its issuance vide receipt dated 11.07.2022. (**Annexure C-3**).

2.4 It is contended that as per sanctioned/approved Site Plan, Plot of complainant bearing no.115 has been shown after Plot no.114 in sequence starting from Plot nos.113 to 117.

2.5 It is stated that complainant is in peaceful possession of Plot no. 115, measuring 275 sq. yards purchased by him vide registered Sale Deed dated 06.01.2020.

2.6 It is alleged that now Owner of Plot no.114 namely Major Singh, resident of Village Jandpur, Tehsil Kharar, District Mohali is approaching complainant that Plot no.115 belongs to him as owner. However, as noted above, Plot No.115 has been purchased by complainant from

respondent vide registered Sale Deed dated 06.01.2020 as per sanctioned/approved Site Plan.

2.7 Complainant approached respondent for redressal his grievance but respondent failed to do so. Complainant sent Legal Notice dated 30.08.2022 (**Annexure C-4**) to respondent but without any response from respondent. It is contended that respondent has violated Section 19(3) of the Act of 2016. Hence, this complaint seeking relief mentioned in initial para of this order.

3. Pursuant to notice issued to respondent, Shri Vipul Monga, Advocate appeared on behalf of respondent on 14.12.2023; submitted his Power of Attorney and on his request three weeks' time was granted to him to file reply. Thereafter from this date i.e. 14.12.2023 the matter was being adjourned for awaiting the reply from respondent. Thereafter when the matter was taken up on 08.07.2024, Shri Vipul Monga, Advocate for respondent again sought time to file reply and the matter was adjourned to 07.08.2024 for reply.

4. It is noteworthy that during the proceedings of this case held on 20.03.2025, Ms. Rabia Devgan, Advocate, duly authorized by respondent and an associate of Shri Vipul Monga, Advocate appeared on behalf of respondent and submitted an application withdrawing their power of attorney on behalf of respondent. Accordingly, notice was ordered to be issued on 20.03.2025 itself to respondent for its appearance on 22.05.2025. As per report of the postal authorities, this notice was delivered to respondent on 15.05.2025, but despite service there was no representation on behalf of respondent on the


date of hearing of 22.05.2025. It is worth to mention here that even despite service of notice for appearance on 31.07.2025 nobody appeared on behalf of respondent.

5. It is clear from above discussion that despite various opportunities granted to respondent neither any reply to complaint was filed by respondent nor there was any representation on behalf of respondent till date. It appears that respondent is not interested to pursue its matter before this Authority.

6. Further, during the proceedings held on 12.08.2025, Counsel for complainant stated that *"....Another prayer regarding claim of ownership on unit no.115 by owner of unit no.114 is not being pressed..."*. Finally, arguments were addressed by Counsel for complainant on 26.08.2025.

7. The possession/allotment letter dated 11.07.2022 (Ann. C-2 of complaint) was issued by respondent and the various clauses of this letter does not cause any hindrance or obstruction on possession of this unit by the complainant. The sale deed of Plot No.115 measuring 275 sq. yards in Sector 123 at Sunny Enclave Residential Towers, Kharar, District SAS Nagar, Mohali has already been executed on 06.01.2020. In view of it there is no occasion to infer that there is any violation of Section 19(3) of the RERD has been done by the respondent.

8. File be consigned to record room after due compliance.


(Binod Kumar Singh)
Member, RERA, Punjab