



## Real Estate Regulatory Authority, Punjab

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

Phone No. 0172-5139800, email id: [pschairrera@punjab.gov.in](mailto:pschairrera@punjab.gov.in)

Before the Bench of Sh. Rakesh Kumar Goyal, Chairman

1. **Misc. Application No.** :- Miscellaneous Application No. 02/2026 in GC No. 0271/2024
2. **Name & Address of the Applicant/Complainant (s)/ Allottee in the main case** :-
  1. Ms. Prabhjyot Kaur Walia
  2. Sh. Jaswinder Singh Walia

Both residents of Flat No. 5, Tower A, 3<sup>rd</sup> Floor, Sandwood Opulencia, Sector-110, SAS Nagar, Mohali-140307.
3. **Name & Address of the respondent (s)/ Promoter in the main case** :-
  1. M/s ATS Estates Pvt. Ltd., 711/92, Deepali, Nehru Palace, New Delhi -110011.
  2. ATS Infrastructure Pvt. Ltd., 711/92, Deepali, Nehru Palace, New Delhi -110011.
  3. Dynamic Colonisers Pvt. Ltd., 711/92, Deepali, Nehru Palace, New Delhi -110011.
4. **Name of the Project** :- ATS Golf Meadows Lifestyle
5. **RERA Registration No. of Project** :- PBRERA-SAS79-PR0007
6. **Name of Counsel for the complainant, if any.** :- Sh. Ripudaman Singh, Advocate
7. **Name of Counsel for the respondent, if any** :- Sh. Hardeep Saini, Advocate
8. **Section and Rules under which order is passed** :- Section 39 of the RERD Act, 2016.
9. **Date of Order** :- 16.02.2026

### ORDER

The present miscellaneous application has been filed by the applicants/complainants under Section 39 of the Real Estate (Regulation and Development) Act, 2016 (herein after referred as the '**RERD Act**' for the sake of convenience and brevity). This application seeks rectification of order dated 18.09.2025 passed in Complaint bearing no. GC/0271/2024 under Section 31 of the RERD Act titled "**Prabhjyot Kaur Walia & Anr. v. M/s ATS Estates Pvt. Ltd. & Ors.**".



2. The present rectification application has been preferred stating that the order dated 18.09.2025 passed u/s 31 of the RERD Act suffers from typographical error and inadvertent mistake. The applicants/complainants submitted that while determining the liability in the order dated 18.09.2025 u/s 31 of RERD Act, the interest on the principal amount was directed to be computed at the rate of 10.85% per annum; however, in the tabulation reflected in Paragraph 15 of the said order, the rate of interest has inadvertently been calculated @ 8.85% per annum. It is therefore prayed that the said mistake needs to be rectified and the interest should be recalculated in accordance with the rate of 10.85% per annum instead 8.85% per annum.

3. Upon receipt of the application, both the parties were issued notice to appear on 16.02.2026 and the respondent was directed to submit reply to the application. The counsel for the respondents appeared and submitted that the respondents do not wish to contest the rectification sought by the applicants/complainants.

4. I have considered the application filed for rectification u/s 39; submissions of the complainants/applicants; order passed under Section 31 of the RERD Act and other material available on record. It has been observed that the interest on the principal amount was calculated at the rate of 8.85% per annum in the order dated 18.09.2025 passed u/s 31 of RERD Act. However, the correct rate of interest payable ought to have been 10.85% per annum. Consequently, since the rate of interest was incorrectly recorded in para 15 of the order dated 18.09.2025, the computation of the interest amount payable by the promoter/respondent was also calculated wrongly as Rs.2,81,430/- in para 15, 17 and 18 of the order passed under Section 31 of the RERD Act. Therefore, the said mistake being clerical in nature requires rectification under Section 39 of the RERD Act.

5. In view of the above and upon consideration of the material available on record, the present application is **allowed** and it is held that the calculations reflected in the order dated 18.09.2025 under Section 31 of the Real Estate (Regulation and Development) Act, 2016 required correction only to the extent of correcting the interest calculations mentioned in Para 15, 17 and 18 of and the applicable rate of interest



mentioned in para 15 of the order dated 18.09.2025. As a consequence of the same, the order dated 18.09.2025 with the amended figures as follows:-

"15. In view of the above, the complaint is **Partly Allowed** and complainant is entitled for interest upon the delayed period w.e.f. 01.09.2021 (i.e. from the due date of possession to be offered) @ 10.85% (i.e. 8.85% SBI's Highest MCLR Rate applicable as on 15.07.2025 + 2%) till the date of valid offer of possession, as per Rule 16 of the Punjab State Real Estate (Regulation & Development) Rules, 2017. The complainant is also directed to pay the balance payment to the respondent, after deducting the accrued interest, at the time of valid offer of possession, if any. 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, the calculation of delayed interest upto 31.08.2025 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
01.09.2021	7,95,000/-	31.08.2025	10.85%	48 Months	3,45,030/-

17. In view of the aforesaid legal provisions and judicial pronouncement, it is hereby directed that the above amount shall be recovered as Land Revenue. The total amount due towards delayed interest upto 31.08.2025 is Rs.3,45,030/- and the respondent is directed to make the payments within 90 days to the complainants and offer valid offer of possession. After, 01.09.2025 the promoter is liable to pay an amount of Rs.5,863/- per month as interest till the valid & due possession is not offered to the complainants. Further, any amount due by the complainant at the time of offer of possession, first it will be adjusted as payment from the interest accrued i.e. payable from the promoter at the time of offer of possession.

18. The amount of Rs.3,45,030/- upto 31.08.2025 as interest upon the delayed period, as determined vide this order u/s. 31 of the Real Estate (Regulation & Development) Act, 2016; has become payable by the respondent to the complainant and the respondent is directed to make the payment within 90 days from the date of receipt of this order as per Section 18 of the Real Estate (Regulation & Development) Act, 2016 read with Rules 17 of the Punjab Real Estate (Regulation & Development) Rules, 2017. The amount of Rs.3,45,030/- determined as interest upon the delayed period upto 31.08.2025 and further a sum of Rs.5,863/- to be payable as interest per month from 01.09.2025 is held "Land Revenue" under the provisions of Section 40(1) of the RERD Act, 2016. The said amounts are to be collected as Land Revenue by the Competent Authorities as provided/authorised in the Punjab Land Revenue Act, 1887 read with section 40(1) of the Real Estate (Regulation and Development) Act, 2016."

6. In view of the above amendments, it is held that allottee-cum-complainants are entitled for interest amount of Rs.3,45,030/-. Further, an amount of Rs.3,45,030/- is calculated as interest upto 31.08.2025 as given in detail in the table supra. The Secretary is directed to replace the above figure in the Debt Recovery Certificate issued in this case. The Land



Revenue Recovery Authority prescribed under Punjab Land Revenue Act, 1887 may be informed accordingly through the letter and amended Recovery Certificate. The promoter is held to be judgment debtor of Rs.3,45,030/- instead of Rs.2,81,430/-.

7. The application for Rectification is accordingly **allowed**. This order of rectification shall be read conjointly with the order dated 18.09.2024 previously passed in the complaint under Section 31 of the RERD Act.

**Chandigarh**

**Dated: 16.02.2026**



*Rakesh*  
(Rakesh Kumar Goyal),  
Chairman,  
RERA, Punjab

Endst. No. RERA/CP/S-39/2025/373

Date: 23/2/26

A copy of the above order is sent to the followings:-

1. Ms. Prabhjot Kaur Walia,
2. Ms. Jaswinder Singh Walia,  
(Both at Flat No. 5, Tower A, 3<sup>rd</sup> Floor, Sandwood Opulencia, Sector 110, SAS Nagar (Mohali), Punjab – 140307.)
3. ATS Estates Pvt. Ltd.
4. ATS Infrastructure Pvt. Ltd. through its MD/Directors
5. Dynamic Colonisers Pvt. Ltd. through its MD/Directors  
(All 3 to 5 at 711/92, Deepali, Nehru Place, New Delhi – 110011).
6. The Secretary, RERA, Punjab.
7. Director (Legal), RERA, Punjab.
8. The Complaint File.
9. The Master File.

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