

HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-12783-2017

Date of Decision: June 01, 2017

Bikramjeet Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE HARI PAL VERMA

- | | | |
|----|---|---------|
| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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Present: Mr.Ranjit Saini, Advocate
for the petitioners.

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SURYA KANT, J.

The petitioners are residents of 39 West Colony, Phase I, Sector 122, SAS Nagar, Mohali, which is a residential colony developed by a private builder, namely, respondent No.6. The allegations of the petitioners are that the private builder is acting in flagrant violation of the provisions of the Punjab Apartment and Property Regulation Act, 1995 and the Rules made thereunder as he has violated the Master Plan/building Plan. It is averred that at the time when plots were sold, it was promised that various amenities like swimming pool, health club, indoor and outdoor sports and recreation activities etc. shall be provided but all those sites have now been sold illegally in violation of the terms and conditions of the licence. The petitioners have already made complaints in this regard to the Chief

Administrator, GMADA as well as the principal Secretary, Housing and Urban Development Department, Punjab, copy of which has been appended as Annexure P-10.

[2] We are informed that the Principal Secretary, Housing and Urban Development Department, Punjab, has been recently notified as the Real Estate Regulatory Authority by the State of Punjab in exercise of its powers under 3rd proviso to Section 20 of the Real Estate (Regulation and Development) Act 2016. We are, thus, of the view that the said Authority is vested with ample statutory powers for redressal of petitioners' grievances.

[3] The writ petition is accordingly disposed of with a direction to the Principal Secretary, Housing and Urban Development Department, Punjab to call for the records with reference to the petitioners' allegations and take an appropriate decision after hearing both the parties within a period of four months from the date of receipt of a certified copy of this order. The petitioners shall be at liberty to submit a supplementary representation alongwith relevant documents to substantiate their allegations.

(SURYA KANT)
JUDGE

June 01, 2017
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(HARI PAL VERMA)
JUDGE

1. Whether speaking/reasoned ?	Yes/No
2. Whether reportable ?	Yes/No