

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

(1) Civil Writ Petition No.21272 of 2016.
Date of Decision: April 26, 2017

Silver City (Main) Residents Welfare AssociationPetitioner
versus

State of Punjab and othersRespondents

(2) Civil Writ Petition No.21572 of 2016.
Date of Decision: April 26, 2017

Silver City Constructions LimitedPetitioner
versus

State of Punjab and othersRespondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE SUDIP AHLUWALIA.**

Present: Mr.Rajesh Narang, Advocate and
Mr.Amandeep Sharma, Advocate, for
Mr.P.S.Khurana, Advocate, for the petitioner(s)
Mr.Atul Nanda, Advocate General, Punjab with
Mr.Rajesh Bhardwaj, Additional AG, Punjab.
Mr.Sandeep Moudgil, Additional AG, Haryaba.

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Surya Kant, J. (Oral)

This order shall dispose of Civil Writ Petition Nos.21272 and 21572 of 2016 as common questions of law and facts are involved in both these petitions.

For brevity, the facts are being extracted from CWP No.21272 of 2016.

The petitioner is a Residents Welfare Association constituted by the residents of Silver City (Main) which is a residential colony developed by private-builders, namely, respondent Nos.6 & 7. The grievance of the petitioner in this case is regarding non-delivery of possession of Community Centre including Richmond Garden at Silver City

(Main), Zirakpur. Such like disputes would now be required to be adjudicated by the Real Estate Regulatory Authority in exercise of its powers under the provisions of Real Estate (Regulation and Development) Act, 2016.

It is informed by learned State counsel that in exercise of its powers under 3rd proviso to Section 20 of the Act, Principal Secretary, Housing, Punjab, has been notified as the Real Estate Regulatory Authority.

Similarly, vide notification dated 25.04.2017, a copy of which is appended as Annexure R-1/2 with the affidavit filed in Court today, the Education Tribunal headed by a former Judge of this Court has been designated as Real Estate Appellate Tribunal under the 2016 Act.

In this view of the matter, we relegate the parties in the instant cases before the Real Estate Regulatory Authority.

The parties are directed to place before the Authority complete set of pleadings whereupon we direct the said Authority to decide the controversy as early as possible but not later than four months from the date of receiving a certified copy of this order.

Ordered accordingly.

[SURYA KANT]
JUDGE

April 26, 2017
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[SUDIP AHLUWALIA]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No