

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.9588 of 2017.

Date of Decision: May 05, 2017

Amit Gupta and others

.....Petitioners

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.R.N.Lohan, Advocate, for the petitioners.

-.-

Surya Kant, J. (Oral)

The petitioners are allottees of flats/apartments in a residential colony developed by a private-builder, namely, M/s Sai Apartment and Infrastructure Limited, Vishranti City, Village Gazipur, Zirakpur, District SAS Nagar, Mohali. It appears that for developing the aforesaid colony, the builder obtained a licence on 24.05.2012 under the provisions of the Punjab Apartment and Property Regulation Act, 1995. It further appears that the builder having failed to perform the statutory obligation as per the agreed terms and conditions, its licence has been cancelled. The petitioners' grievance is that neither the builder nor the local authorities whom they have impleaded as party-respondents, have completed the infrastructure and no basic amenities are being provided to them in accordance with the provisions of 1995 Act. In fact, entry to their houses has been barricaded. The petitioners served the respondent-authorities with a legal notice dated 01.04.2017 (P-4) before filing the instant writ petition.

Having heard learned counsel for the petitioners, it appears to us that the issues raised by the petitioners squarely fall within the ambit of

has already, in exercise of its powers under 3rd proviso to Section 20(2) of 2016 Act, notified the Principal Secretary, Department of Housing, Punjab, as the Real Estate Regulatory Authority.

In this view of the matter, we dispose of this writ petition with liberty to the petitioners to approach the aforesaid Authority within two weeks whereupon the Authority is directed to intervene in the matter and take remedial action in accordance with law within a period of two months from the date of filing a petition by the petitioners.

Ordered accordingly.
Dasti.

[SURYA KANT]
JUDGE

May 05, 2017
mohinder

[SUDIP AHLUWALIA]
JUDGE

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