

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 19285 of 2020 (O&M)

Date of decision:- 12.11.2020

M/s Apex Buildwell Pvt. Ltd.

.....Petitioner

Versus

Union of India and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE.**

Present:- Mr. Sandeep Chaudhary, Advocate, for the petitioner.
Mr. S.P.Jain, Addl. Solicitor General of India with
Mr. Dheeraj Jain, Senior Panel Counsel for UOI.

(The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual Court).

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RAVI SHANKER JHA, C.J. (ORAL)

The validity of the proviso to Section 43(5) of the Real Estate (Regulation and Development) Act, 2016 has already been upheld by this Court vide judgments dated 23.09.2020 and 16.10.2020 rendered in Civil Writ Petition Nos. 15205 of 2020 and 38144 of 2018.

In view of the aforesaid circumstances, this petition is also dismissed in the similar terms as ordered in Civil Writ Petition No. 15205 of 2020 (M/s Lotus Realtech Pvt. Ltd. v. State of Haryana and others) vide judgment dated 23.09.2020 and Civil Writ Petition No. 38144 of 2018 (Experion Developers Pvt. Ltd. v. State of Haryana and others) vide judgment 16.10.2020.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

12.11.2020
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No