

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

113

**CWP-7676-2021 (O&M)
Date of Decision : 6.4.2021**

Sachin Jaglan and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI
: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present : Mr.Rahul Sharma, Advocate
for the petitioners.

AJAY TEWARI, J. (Oral)

1. This civil writ petition has been filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing respondent Nos. 1 and 2 to take action on the petitioner's demand notice dated 9.3.2021 (Annexure P-6) whereby appropriate action has been sought against respondent No.3 on account of the illegal construction being undertaken in the ongoing residential project called Palm Residency in Mullanpur, New Chandigarh, District Mohali.

2. By this petition, learned counsel for the petitioners has raised the dispute against the alleged infraction of the sanctioned building plan by the builder. Learned counsel is not in a position to deny that the relief which has been sought by the petitioners could well be raised before the Real Estate Regulation Authority, Punjab (RERA)(for short 'the authority').

3. In the circumstances, we dispose of this writ petition by relegating the petitioners to the remedy available before the authority.

4. However, counsel for the petitioners has stated that he would approach the authority within three days and would file a complaint along with an application for interim relief (complete in all respect and free from all defects) but a direction should be issued to the authority to decide the same within any reasonable time .

5. We find this to be a fair request. Therefore, we direct that in case a complaint along with an application for interim relief (complete in all respect and free from all defects) is filed on or before 9.4.2021, the authority shall endeavour to decide the application for interim relief expeditiously but in any case on or before 30.4.2021.

6. Petition stands disposed of with above-said observations.

7. Since the main petition has been decided, the pending application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

(RAJESH BHARDWAJ)
JUDGE

6.4.2021
anuradha

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No