

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RERA-APPL-45-2019(O&M)
Date of decision: 16.11.2022

M/s Avalon Projects and others ..Appellants

Versus

Jag Narayan Singh and others ..Respondents

RERA-APPL-42-2019 (O&M)

M/s Avalon Projects and others ..Appellants

Versus

Rakesh Trisal and others ..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: None.

ANIL KSHETARPAL, J(Oral)

The dispute is with regard to interpretation of Section 43(5) of the Real Estate (Regulation and Development) Act, 2016 which provides for the pre deposit of the amount before filing the appeal in the Real Estate Appellate Tribunal. The Hon'ble Supreme Court in **M/s Newtech Promoters and Developers Pvt. Ltd. vs. State of UP and others etc. 2021 SCC online SC 1044**, has held that such requirement is mandatory.

In view thereof, no ground to interfere with the order passed by the Real Estate Appellate Tribunal is made out.

Hence, dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

November 16, 2022

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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*