

In the High Court of Punjab and Haryana, at Chandigarh

RERA Appeal No. 96 of 2019 (O&M)

Date of Decision: 15.12.2022

M/s Sushma Buildtech Limited

... Appellant(s)

Versus

Mrs. Sarla and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Sanjeev Sharma, Advocate
for the petitioner(s).

Mr. Sumit Guleria, Advocate
for Mr. S.S.Pathania, Advocate
for the respondent No.1.

Anil Kshetarpal, J.

1. This appeal has been filed under Section 58 of the Real Estate Regulation and Development) Act, 2016 (hereinafter referred to as the 2016 Act”). Such appeal is maintainable only on a substantial question of law as required under Section 100 of the Code of Civil Procedure, 1908.

2. The Appellate Tribunal has directed the Promoter to return the amount along with the interest @ 7% per annum for two years while setting aside the forfeiture of 10% of the earnest money. The Appellate Tribunal has found that the Promoter did not sign the Apartment Buyers Agreement.

3. The learned counsel representing the appellant has failed to draw the attention of this Court to any substantial question of law arising in the present case as required under Section 58 of the 2016 Act.

4. Keeping in view the aforesaid facts, no ground is made out to interfere with the impugned order. Hence, the present appeal is dismissed.

5. The miscellaneous application(s) pending, if any, shall stand disposed of.

(Anil Kshetarpal)
Judge

December 15, 2022
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No