

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

CWP-3301-2023

Date of Decision:-17.02.2023

SRS City AGH Buyers Assocn.

....Petitioner

Vs.

Directorate of Enforcement and ors.

....Respondents

**CORAM:- HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Sahil Ghai, Advocate
Mr. Anuj Kishore Saxena, Advocate and
Mr. Deepanshu Mehta, Advocate
for the petitioner

Ritu Bahri, J. (Oral)

The petitioner-Assocn has approached this Court by filing the present writ petition for issuance of writ in the nature of mandamus for issuance of direction to respondent Nos. 2 and 3 to list the application dated 26.05.2022 (P-10) filed on behalf of the petitioner before respondent No. 2 in proceedings relating to O.C. 1259/2020.

Petitioners are allottees of various units/Flats in the SRS Affordable Housing Project at SRS City Sector 6, Palwal. This project was initiated by SRS Real Estate Ltd. However, this project was taken over by the Country and Town Planning, vide order dated 21.08.2018, cancelling the license of SRS Real Estate Ltd., as the project was not completed within validity of the license i.e till 22.11.2016. Vide order dated 08.01.2020, provisional attachment order was passed by the Enforcement Directorate. On 31.08.2021, the Authority passed order partly confirming the attachment for the attached properties, including Units belonging to the members. Vide order dated 01.04.2022, Hon'ble the Supreme Court was disposed of the matter on 27.11.2020 observing therein that in the even any adverse order is passed by the Forum affecting the possession of genuine home-buyers, the same not be given effect to for a period of four weeks from the date of such order to enable them to take recourse to appropriate remedy.

Learned counsel submits that the application filed by the petitioner on 26.05.2022 (P-10) is pending till date and no steps have been taken by the Authorities.

GAURAV ARORA
2023.02.21 15:36
I attest to the accuracy and
integrity of this document

Issue notice of motion.

Mr. J.S. Lalli, Deputy Solicitor General of India, accepts notice on behalf of respondent No. 1 and on instructions from Mr. Keshav Gaur, Assistant Enforcement Officer, Enforcement Directorate has informed the Court that the provisional attachment order has already been confirmed on 31.08.2021.

Since the above application is pending for the last about 7 months, at this stage, the present petition stands disposed of by giving direction to respondent No. 2 and 3 to decide the application dated 26.05.2022 (P-10) of the petitioner, in accordance with law, within a period of three months from the date of passing of this order.

Learned counsel for respondent No. 1 shall inform respondent No. 2 and 3 with respect to passing of this order.

(RITU BAHRI)
JUDGE

(MANISHA BATRA)
JUDGE

17.02.2023
G Arora

<i>Whether speaking/reasoned</i>	: Yes/No
<i>Whether reportable</i>	: Yes/No