

Bhupinder Singh & Anr. V/s M/s. Emerging Valley Pvt. Ltd. & Anr.

EX/AO/17/2022 in
Complaint No. AdC No. 1784/2020 UR

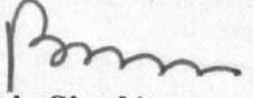
Present Mr. Avilash Bhattacharjee for the complainant/DH
None for the respondent/JD

Calculation sheet of the remaining due amount under the execution application has been filed by the complainant/DH. The calculations for amount due under this execution application has also been made by the Finance Branch.

Recovery Certificate no. RERA/Pb/2022/Legal/7871 dt. 05.08.2022 was transmitted to the office of District Collector-cum-Deputy Commissioner, SAS Nagar (Mohali) vide forwarding letter dt. 05.08.2022; however, during pendency of the said recovery procedure being adopted by the revenue authorities, written settlement dt. 29.11.2022 was entered between the parties, the same however, was not complied with the respondent/JD and Recovery Certificate no. RERA/Pb/2022/Legal/7871 dt. 05.08.2022 had been called back un-executed from the Revenue Authorities. This execution application had been restored on the application of the complainant/DH.

Therefore, Legal Branch is directed to facilitate the issuance of fresh Recovery Certificate in accordance with the provisions of Section-40 of the Real Estate (Regulation and Development) Act, 2016 to District Collector-cum-Deputy Commissioner, SAS Nagar, Mohali for realisation of the due amount as the arrears of land revenue at the earliest and the in forwarding letter is required to specify the directions of Hon'ble High Court of Punjab & Haryana in the case of Sunder Krishnan V/s M/s. ATS Estates Pvt. Ltd. Execution/AO/26/2021 in complaint No. TR/AO/52/2019 in GC No. 1178/2019, the execution has also to be decided within 60 days. The direction had been issued on the basis of guidelines of Hon'ble Supreme Court in Civil Appeal Nos.1659-1660 of 2021 (Special Leave to Appeal Nos.7965-7966/2020) and the said period of 60 days has already lapsed and therefore, all efforts have to be made for realisation of the due amount by all means and the report be awaited for 09.08.2023. Copy of the letter be also sent to the Tehsildar, RERA, Punjab. Process be also sent through email.

04.07.2023


(Balbir Singh)
Adjudicating Officer
RERA