

Anjali Sapehia V/s M/s. Mona Township

Execution/AO/41/2021 in
AdcNo 1322 of 2019

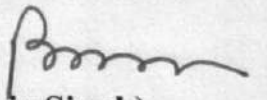
Present Mr. Sandeep Singh Ghangas Advocate representative for the complainant/DH
None for the respondent/JD

This execution could not be decided within sixty days as per the guidelines of the Hon'ble Supreme Court primarily because the recovery warrant was issued on dt. 08.02.2023 and 15.06.2023 and transmitted for execution to the District Collector-cum-Deputy Commissioner, SAS Nagar (Mohali) and despite issuance the reminder time and again, the said authority failed to make the compliance.

Letter no.366 dt.31.05.2023 has been received from Tehsildar-Mohali that respondent/JD does not have property in Tehsil-Mohali. However, it transpires from the Jamabandi that property of the respondent/JD is situated in Tehsil-Kharar. Fresh reminder be issued to District Collector-cum-Deputy Commissioner, SAS Nagar (Mohali) for realisation of the due amount on the basis of recovery certificate. However, as the concerned revenue authority has not been able to comply with the directions of the Hon'ble High Court regarding completion of the proceedings of execution within 60 days from the date of filing; therefore, notice is required to be issued to the Tehsildar-Kharar through District Collector-cum-Deputy Commissioner, SAS Nagar (Mohali) for showing cause as to why the matter should not be referred to the Hon'ble High Court for initiating contempt proceedings because of the default of the Tehsildar-Kharar in deliberately not complying with the directions of the Hon'ble High Court as per the guidelines of the Hon'ble Apex Court and explanation by Tehsildar-Kharar with the comments of District Collector-cum-Deputy Commissioner be submitted. Copy of the reminder be also sent to the Tehsildar, RERA, Punjab. Process be also sent through email.

Despite sending the reminders to the revenue authorities, needful has not been done so far for realising the amount as per the Recovery Certificate; however, counsel for the complainant/DH seeks short adjournment to file an application for proceeding against the respondent/JD under order 151 CPC R/w 21, Rule 37 & Rule 38 of the CPC 1908 for sending the respondent/JD to civil imprisonment. Now to come up on 26.07.2023 for filing the application, if any and for further proceedings.

18.07.2023


(Balbir Singh)
Adjudicating Officer
RERA