

Rahul Kumar Mittal V/s Chandigarh Overseas Pvt. Ltd.

Ex/AO/08 of 2021
Complaint No. AdCNo. 1256/2019


Present Mr. Vishal Singal Advocate proxy of Mr. Ravinder Pal Singh Advocate representative for the complainant/DH

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. 08.07.2021 and transmitted for execution to the District Collector-cum-Deputy Commissioner, SAS Nagar (Mohali) and despite issuance the reminders time and again, the said authority failed to make the compliance.

As per the letter no.445/WBN dt. 26.06.2023 received from Tehsildar-Mohali that despite holding of the auction proceedings, nobody turned up for participating in the action proceeding; therefore, reminder be issued to District Collector-cum-Deputy Commissioner, SAS Nagar (Mohali) for realisation of the due amount on the basis of recovery certificate on or before 31.08.2023. 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 concerned Tehsildar 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 concerned Tehsildar 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 concerned Tehsildar with the comments of District Collector-cum-Deputy Commissioner be submitted on or before 31.08.2023. Copy of the reminder be also sent to the Tehsildar, RERA, Punjab. It be ensured that proper publication should be done for the auction of the property of the respondent/JD.

Further adjournment is requested on behalf of the complainant/DH for filing application under CPC for proceeding against the respondent/JD for non-compliance of the Final Order dt. 22.06.2020 passed by this Bench. Now to come up on 31.08.2023 for filing the application and for further proceedings.

24.07.2023


(Balbir Singh)
Adjudicating Officer
RERA