

REAL ESTATE APPELLATE TRIBUNAL, PUNJAB
SCO No. 95-98, Bank Square, P.F.C Building, Sector-17-B, Chandigarh

Subject: -

APPEAL NO. 164 OF 2022

Info Edge (India) Limited, GF-12A, 94, Meghdoot, Nehru Place, New Delhi-110020, through Nitin Bansal, Associate Manager, Legal.

...Appellant

Versus

Real Estate Regulatory Authority, Punjab, Chandigarh, Through its Chairperson, Plot No.3, First Floor, Block-B, Sector-18, Madhya Marg, Chandigarh.

....Respondent

APPEAL NO. 168 OF 2022

Locon Solutions Pvt. Ltd (Housing.com) having its registered office at: Plot No. 25, Sector-32, Gurgaon-122001, Haryana.

...Appellant

Versus

Real Estate Regulatory Authority, Punjab, Chandigarh, Through its Chairperson, Plot No.3, First Floor, Block-B, Sector-18, Madhya Marg, Chandigarh.

....Respondent



APPEAL NO. 169 OF 2022

Makaan.com Private Limited (Makaan.com) having its registered office at Echelon Square, 3rd Floor, Plot No. 25, Industrial Area, Sector-32, Gurgaon-122001, Haryana.

...Appellant

Versus

Real Estate Regulatory Authority, Punjab, Chandigarh, Through its Chairperson, Plot No.3, First Floor, Block-B, Sector-18, Madhya Marg, Chandigarh.

....Respondent

APPEAL NO. 170 OF 2022

Aarde Technosoft Private Limited (PropTiger.com) having its registered office at Echelon Square, 3rd Floor, Plot No. 25, Industrial Area, Sector-32, Gurgaon-122001, Haryana.

...Appellant

Versus

Real Estate Regulatory Authority, Punjab, Chandigarh, Through its Chairperson, Plot No.3, First Floor, Block-B, Sector-18, Madhya Marg, Chandigarh.

....Respondent

APPEAL NO. 178 OF 2022

Magicbricks Realty Services Limited (Magicbricks.com) Times Centre (Digital Content Production Facility), FC-6, (Third Floor), Sector 16 A, Film City, Noida-201301, U.P

...Appellant

Versus

Real Estate Regulatory Authority, Punjab, Chandigarh, First Floor, Block-B, Plot No.3, Sector-18 A, (Near Govt. Press U.T), Madhya Marg, Chandigarh-160018.

....Respondent

Memo No. R.E.A.T./2023/ 199



To,
REAL ESTATE REGULATORY AUTHORITY, PUNJAB 1ST FLOOR,
BLOCK B, PLOT NO.3, MADHYA MARG, SECTOR-18,
CHANDIGARH-160018.

Whereas appeals titled and numbered as above were filed before the Real Estate Appellate Tribunal, Punjab. As required by Section 44 (4) of the Real Estate (Regulation and Development) Act, 2016, a certified copy of the order passed in aforesaid appeals is being forwarded to you and the same may be uploaded on website.

Given under my hand and the seal of the Hon'ble Tribunal this 16th day of May, 2023.

Manendra Kumar

REGISTRAR

REAL ESTATE APPELLATE TRIBUNAL, PUNJAB

43

IN THE HON'BLE REAL ESTATE APPELLATE TRIBUNAL PUNJAB

RERA APPEAL NO. 164 of 2022

(Arising out of Memo No. RERA/2018/6497 dated 16.08.2018)

(Date of Decision: 15.06.2022, Copy forwarded vide Memo dated 01.07.2022)

MEMO OF PARTIES

Info Edge (India) Limited, GF-12A, 94, Meghdoot, Nehru Place, New Delhi-110020,
through Nitin Bansal, Associate Manager Legal.

...Appellant

VERSUS

Punjab Real Estate Regulatory Authority, through its Chairperson, Plot No. 3, First
Floor, Block B, Sector-18, Madhya Marg, Chandigarh.

...Respondent



Dated: - 30-8-22
Chandigarh

(Ranjit Singh Kalra) Advocate & Respondent P Singh Singh
Counsel for the Appellant

Randeep Singh

BEFORE THE PUNJAB REAL ESTATE APPELLATE TRIBUNAL,

CHANDIGARH

Appeal No. 168 of 2022

IN

MEMO NO. RERA/2018/6492

-5
Date of Filing 08/09/2022/632/09/09/2022
Date of Receipt by post 9
Appeal No. 168 of 2022 / Re-d.No. 647
Signature Kamla
Registrar _____

(Under S. 44 of the Real Estate (Regulation and Development) Act, 2016 r/w.
Rule 26 of the Punjab Real Estate (Regulation and Development) Rules, 2017)

IN THE MATTER OF

Impugned Common order dated 15.06.2022 passed by the Hon'ble Punjab
Real Estate Regulatory Authority, Chandigarh

IN

Memo No. RERA/2018/6492

Locon Solutions Private Limited (Housing.com))
Having its registered office at:)
Plot No. 25, Sector 32,)
Gurgaon – 122001 Haryana).....Appellant/
Original Respondent

IN THE MATTER BETWEEN

Locon Solutions Private Limited (Housing.com))
Having its registered office at:)
Plot No.25, Sector 32,)
Gurgaon – 122001 Haryana).....Appellant/
Original Respondent

And

Real Estate Regulatory Authority, Punjab)
Having its registered office at:)
1st Floor, Plot No. 3, Block B)
Madhya Marg, Sector 18 A)
Chandigarh-400056)...Respondent/
Original Complainant

1. PARTICULARS OF THE APPELLANTS:



BEFORE THE PUNJAB REAL ESTATE APPELLATE TRIBUNAL, -5-

CHANDIGARH

Appeal No. 169 of 2022

IN

MEMO NO. RERA/2018/ 6504

Date of Filing 08/09/2022/633
Date of Receipt by post. 08
Appeal No. 169 of 2022
Signature Kamla
Registrar _____

[09/09/22] R.D. No. 648

(Under S. 44 of the Real Estate (Regulation and Development) Act, 2016 r/w.
Rule 26 of the Punjab Real Estate (Regulation and Development) Rules, 2017)

IN THE MATTER OF

Impugned Common order dated 15.06.2022 passed by the Hon'ble Punjab
Real Estate Regulatory Authority, Chandigarh

IN

Memo No. RERA/2018/ 6504

Makaan.com Private Limited (Makaan.com))
Having its registered office at:)
Echelon Square, 3rd Floor,)
Plot No. 25, Institutional Area)
Sector 32, Gurgaon- 122001)Appellant/
Original Respondent

IN THE MATTER BETWEEN

Makaan.com Private Limited (Makaan.com))
Having its registered office at:)
Echelon Square, 3rd Floor,)
Plot No. 25, Institutional Area)
Sector 32, Gurgaon- 122001)Appellant/
Original Respondent

And

Real Estate Regulatory Authority, Punjab)
Having its registered office at:)
1st Floor, Plot No. 3, Block B)
Madhya Marg, Sector 18 A)
Chandigarh-400056) ...Respondent/
Original Complainant

1. PARTICULARS OF THE APPELLANTS:



BEFORE THE PUNJAB REAL ESTATE APPELLATE TRIBUNAL,

CHANDIGARH

Appeal No. 170 of 2022

IN

MEMO NO. RERA/2018/6493-95

Date of Filing 08/09/2022/634
Date of Receipt by post 08/09/22
Appeal No. 170 of 2022
Signature Kamla
Registrar

- 5 -
09/09/22
RD No. 649

(Under S. 44 of the Real Estate (Regulation and Development) Act, 2016 r/w.
Rule 26 of the Punjab Real Estate (Regulation and Development) Rules, 2017)

IN THE MATTER OF

Impugned Common order dated 15.06.2022 passed by the Hon'ble Punjab
Real Estate Regulatory Authority, Chandigarh

IN

Memo No. RERA/2018/6493-95

Aarde Technosoft Private Limited (PropTiger.com))
Having its registered office at:)
Echelon Square, 3rd Floor,)
Plot No. 25, Institutional Area)
Sector 32, Gurgaon- 122001).....Appellant/
Original Respondent

IN THE MATTER BETWEEN

Aarde Technosoft Private Limited (PropTiger.com))
Having its registered office at:)
Echelon Square, 3rd Floor,)
Plot No. 25, Institutional Area)
Sector 32, Gurgaon- 122001).....Appellant/
Original Respondent

And

Real Estate Regulatory Authority, Punjab)
Having its registered office at:)
1st Floor, Plot No. 3, Block B)
Madhya Marg, Sector 18 A)
Chandigarh-400056)...Respondent/
Original Complainant

1. PARTICULARS OF THE APPELLANTS:



Form 'L'
APPEAL TO APPELLATE TRIBUNAL
Appeal under Section 44 of the Act

For use of Appellate Tribunal's Office:

Date of Filing : 14/09/2022/662
 Date of receipt of post : 8
 Registration No. : 178 of 2022
 Signature : Kamla
 Registrar

IN THE REAL ESTATE APPELLATE TRIBUNAL, PUNJAB

Appeal no. _____ of 2022

(Arising out of Memo No. RERA/2018/6499) (Date of
 Order-15.06.2022, received on 10.07.2022)

Magicbricks Realty Services Limited

...Appellant

And vs

Real Estate Regulatory Authority, Punjab

...Respondent

Appeal u/s 44 of the Real Estate Regulation & Development Act, 2016

Details of Appeal:

1. Particulars of the Appellants:

- (i) **Name of the Appellant:** Magicbricks Realty Services Limited
- (ii) **Address of the Appellant:**
 Magicbricks Realty Services Limited (Magicbricks.com),
 Times Centre (Digital Content Production Facility), FC - 6.
 (Third Floor), Sector 16 A, Film City, Noida-201301, U.P.
- (iii) **Address for service of all notices:** Magicbricks Realty Services Limited (magicbricks.com), Times Centre (Digital Content Production Facility), FC 6. (Third Floor), Sector 16 A, Film City, Noida-201301, U.P.

Particulars of the Respondent:

- (i) **Name of the Respondent:** Real estate Regulatory Authority, Punjab
- (ii) **Address of the Respondent:**
 Real Estate Regulatory Authority, First Floor, Block-B, Plot No.-3, Sector-18A, (Near Govt. Press UT), Madhya Marg, Chandigarh - 160018
- (iii) **Address for service of all notices:** Real Estate Regulatory Authority, First Floor, Block-B, Plot No.-3, Sector-18A, (Near Govt. Press UT), Madhya Marg, Chandigarh - 160018

3. Jurisdiction of the Appellate Tribunal:

The Appellant declares that the subject matter of the appeal falls within the Jurisdiction of the Appellate Tribunal. The



14815

**BEFORE THE REAL ESTATE APPELLATE TRIBUNAL, PUNJAB
AT CHANDIGARH**

APPEAL NO. 164 OF 2022

Info Edge (India) Limited, GF-12A, 94, Meghdoot, Nehru Place, New Delhi-110020, through Nitin Bansal, Associate Manager, Legal.

...Appellant

Versus

Real Estate Regulatory Authority, Punjab, Chandigarh, Through its Chairperson, Plot No.3, First Floor, Block-B, Sector-18, Madhya Marg, Chandigarh.

....Respondent

APPEAL NO. 168 OF 2022

Locon Solutions Pvt. Ltd (Housing.com) having its registered office at: Plot No. 25, Sector-32, Gurgaon-122001, Haryana.

...Appellant

Versus

Real Estate Regulatory Authority, Punjab, Chandigarh, Through its Chairperson, Plot No.3, First Floor, Block-B, Sector-18, Madhya Marg, Chandigarh.

....Respondent

APPEAL NO. 169 OF 2022

Makaan.com Private Limited (Makaan.com) having its registered office at Echelon Square, 3rd Floor, Plot No. 25, Industrial Area, Sector-32, Gurgaon-122001, Haryana.

...Appellant

Versus

Real Estate Regulatory Authority, Punjab, Chandigarh, Through its Chairperson, Plot No.3, First Floor, Block-B, Sector-18, Madhya Marg, Chandigarh.

....Respondent



Appeal No. 164 of 2022, Appeal No. 168 of 2022, Appeal No. 169 of 2022,
Appeal No. 170 of 2022 and Appeal No. 178 of 2022

2

APPEAL NO. 170 OF 2022

Aarde Technosoft Private Limited (PropTiger.com) having its registered office at Echelon Square, 3rd Floor, Plot No. 25, Industrial Area, Sector-32, Gurgaon-122001, Haryana.

...Appellant

Versus

Real Estate Regulatory Authority, Punjab, Chandigarh, Through its Chairperson, Plot No.3, First Floor, Block-B, Sector-18, Madhya Marg, Chandigarh.

....Respondent

APPEAL NO. 178 OF 2022

Magicbricks Reality Services Limited (Magicbricks.com) Times Centre (Digital Content Production Facility), FC-6, (Third Floor), Sector 16 A, Film City, Noida-201301, U.P

...Appellant

Versus

Real Estate Regulatory Authority, Punjab, Chandigarh, First Floor, Block-B, Plot No.3, Sector-18 A, (Near Govt. Press U.T), Madhya Marg, Chandigarh-160018.

....Respondent

Present: Mr. Akshay Bhan (Sr. Adv) with Mr. Ranjit Singh Kalra and Mr. Randeep Singh, Advocates for the appellant (Appeal No. 164 of 2022)
Mr. Samarth Sagar and Mr. Jasneet Jolly, Advocates for the appellants (Appeal No. 168 of 2022, Appeal No. 169 of 2022 and Appeal No. 170 of 2022).
Mr. Gunjeet Singh, Advocate for Mr. Parveen Moudgil, Advocate for appellant (Appeal No. 178 of 2022)
Mr. Vipul Joshi, Advocate for RERA, Punjab.
Mr. Jaspal Singh Khara, Assistant Manager (Legal) RERA, Punjab.

CORAM:

**JUSTICE MAHESH GROVER (RETD.), CHAIRMAN
SH. S.K. GARG DISTT. & SESSIONS JUDGE
(RETD.), MEMBER (JUDICIAL)**



**ER. ASHOK KUMAR GARG, CHIEF ENGINEER
(RETD.), MEMBER (ADMN./ TECH.)**

**JUDGMENT: (JUSTICE MAHESH GROVER (RETD.), CHAIRMAN)
(ORAL)**

1. Even though substantive issues are involved in all the appeals yet a preliminary question was raised by the appellants "whether an order pronounced after more than 3 years of its hearing would be sustainable or not".
2. Arguments on the aforesaid issue have been raised by the learned counsels for the appellants in their appeals and in support thereof, reliance has been placed in **Info-Edge (India) Ltd Vs. Mumbai Grahak Panchayat and Ors. and related appeals** passed by Maharashtra Real Estate Appellate Tribunal, Mumbai.
3. There is indeed an inordinate delay between the hearing of the matter and pronouncement of the judgment. Numerous pronouncements on the said issue have been made by various Courts as also the Hon'ble Supreme Court, In order to obviate the chances of miscarriage of justice, lest the issues raised by a litigant are lost in the maze of time, elapsing between the last date of hearing and the pronouncement of judgment, such a practice has not only been discouraged but has been adversely commented upon to hold the resultant orders invalid.



Appeal No. 164 of 2022, Appeal No. 168 of 2022, Appeal No. 169 of 2022,
Appeal No. 170 of 2022 and Appeal No. 178 of 2022

4

4. Having regard to the aforesaid we consider the delay of approximately 3 ½ years intervening between last hearing and in pronouncing the orders as fatal to the cause of justice, particularly when the Hon'ble Member of Real Estate Regulatory Authority, Punjab (hereinafter known as the Authority) who passed the orders was to demit Office shortly upon completion of his tenure.
5. We thus deem it appropriate to set aside the impugned order and remit the matters back to the Authority for consideration afresh.

Files be consigned to the record room.



sd/-
JUSTICE MAHESH GROVER (RETD.)
CHAIRMAN

sd/-
S.K. GARG, D & S. JUDGE (RETD.)
MEMBER (JUDICIAL)

sd/-
ER. ASHOK KUMAR GARG, C.E. (RETD.),
MEMBER (ADMINISTRATIVE/TECHNICAL)

May 11, 2023
DS

Certified To Be True Copy
Manoj Kaur
Registrar
Real Estate Appellate Tribunal Punjab
Chandigarh