

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

Subject: -

**APPEAL NO.38 OF 2023**

1. M/s Wooden Heights Developers Pvt. Ltd. having registered office at GH Site No.1, Preet City, Sector 86, SAS Nagar through its Authorized Representative/Director namely, Naushad Wats  
Mobile No.-9915780021,  
Email- WOODLANDHEIGHTS01@gmail.com

...Appellant

Versus

1. Rohan Bansal son of Raman Bansal R/o H. No.3257, Sector 21, Chandigarh. M-9876901300  
Email-HCBUILDERS37@gmail.com
2. M/s Shaurya Townships Pvt. Ltd. address at Group Housing Site No.1, Sector 86, SAS Nagar, Punjab through its Director(s).  
M- 9417428383  
Email-SHAURYATOWNSHIPS@gmail.com
3. M/s Preet Land Promoters & Developers Pvt. Ltd. having registered office at SCO 672, Sector 70, SAS Nagar, Punjab through its Director  
M.- 7696797979  
Email-PLPMOHALI@yahoo.com

4. Real Estate Regulation Authority, Punjab having registered office at 1<sup>st</sup> Floor, Plot No.3, Block-B, Madhya Marg, Sector 18-A, Chandigarh through its Chairperson.

....Respondents



Memo No. R.E.A.T./2023/ 273.

To,

**REAL ESTATE REGULATORY AUTHORITY, PUNJAB 1<sup>ST</sup> FLOOR,  
BLOCK B, PLOT NO.3, MADHYA MARG, SECTOR-18,  
CHANDIGARH-160018.**

Whereas appeal titled and numbered as above was 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 appeal 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 11th  
day of August, 2023.

*Dhanendra Kumar*  
REGISTRAR

REAL ESTATE APPELLATE TRIBUNAL, PUNJAB

**IN THE REAL ESTATE APPELLATE TRIBUNAL PUNJAB**

Appeal No. 38 of 2023

In G C No. 0199 of 2023

(Pending for 12.09.2023)

IN THE MATTER OF:

**MEMO OF PARTIES**

1. M/s Wooden Heights Developers Pvt. Ltd. having registered office at GH Site No. 1, Preet City, Sector 86, SAS Nagar through its Authorized Representative/Director namely, NAUSHAD WATS

M. - 9915780021      Email - WOODLAND HEIGHTS 01@gmail.com

...Appellant(s)

VERSUS

1. Rohan Bansal Son of Raman Bansal R/o H. No. 3257, Sector 21, Chandigarh.

M. - 9876901300      E-mail - HGBUILDERS37@gmail.com

2. M/s Shaurya Townships Pvt. Ltd. address at Group Housing Site No. 1, Sector 86, SAS Nagar, Punjab through its Director(s).

M. - 9417428383      Email - SHAURYA TOWNSHIPS@gmail.com

3. M/s Preet Land Promoters & Developers Pvt. Ltd. having registered office at SCO 672, Sector 70, SAS Nagar, Punjab through its Director

M. - 7696797979      Email - PLPMOHALI@yahoo.com



4. REAL ESTATE REGULATION AUTHORITY, PUNJAB having registered office at 1st Floor, Plot no 3, Block –B, Madhya Marg, Sector 18-A, Chandigarh through its Chairperson.

...Respondent(s)

Chandigarh  
31.07.2023

*Naushad*



Appellant  
Sh. Naushad Wats  
Authorized Representative  
M/s Wooden Heights Developers Pvt. Ltd.

Through Counsel

*Deepak Girotra*

DEEPAK GIROTRA

*Akshat Grover*

AKSHIT GROVER

ADVOCATES

P – 842/1999

D – 5245/2019

Ch. No. 130, Lawyer's Block, Punjab & Haryana High Courts, Chandigarh

M. +91-9216922169, +91-7986246300

EMAIL – lawoffice.deepakgirotra@gmail.com

COUNSELS FOR APPELLANT





APPLICATION NO.97 OF 2023

APPEAL NO.38 OF 2023

M/S WOODEN HEIGHTS DEVELOPERS PVT. LTD.

VERSUS

ROHAN BANSAL & OTHERS

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**Present: -** Mr. Deepak Girotra and Mr. Akshit Grover,  
Advocates for the appellant  
Mr. Mohd. Sartaj Khan and Mr. Mohd. Shahnawaz  
Khan, Advocates for Respondent No.1  
Ms. Tania Mahajan, Advocate for Respondent No.3

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This appeal has been filed impugning the order dated 25.07.2023 vide which directions were given by the Real Estate Regulatory Authority, Punjab (hereinafter known as the Authority) stalling all development works related to the project being executed by the appellant.

It has been contended that the aforesaid order was passed at the back of the appellant.

It has been argued by the learned counsel for the appellant that this interim order is grossly prejudicial to the appellant as it has the effect of halting the entire project. It has further been argued that immediately upon coming to know of the order they had approached the Authority with an application seeking vacation of the impugned order dated 25.07.2023. Along with this application with the substantive prayer of varying the order, an application for preponement was



also moved, however, these applications have not been decided and presumably they are likely to be taken up on the adjourned date i.e., 12.09.2023.

It has further been argued that the appellant is facing acute difficulty and is confronted with a huge financial loss on account of the impugned order. Besides the stand of the respondent has yet to be evaluated by the Authority since the reply has now been filed.

The respondent is on caveat and has sought to defend the order.

Having heard the learned counsel for the parties, we are of the opinion that what has been impugned before us is merely an interim order which can indeed be varied or vacated upon evaluation of the stand of the parties without being hindered by the rigors of strict principles of a review. It is a settled proposition of law that an interim order can always be varied if sufficient justification is shown to the Authority that passed the initial order more particularly when it is an ex parte order.

It would not be appropriate for us to go through merits of the controversy at the stage considering that the whole issue ~~has~~<sup>is</sup> yet to be decided by the Authority.

Taking all the circumstances into consideration particularly the fact that entire project of the appellant has been brought to a stand-still which may lend a certain amount of



urgency to the matter, we deem it appropriate to dispose of the present appeal with a request to the Authority to prepone the matter and decide the application seeking vacation/variation of the interim orders within a period of two weeks but positively before 18.08.2023. Needless to say both parties would be heard, upon an intimation given by the Authority informing them of the date of hearing.

The present appeal stands disposed of.



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)

August 07, 2023  
AG

Certified To Be True Copy  
*[Signature]*  
Registrar  
Real Estate Appellate Tribunal Punjab  
Chandigarh

11/08/2023 *[Signature]*