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**REAL ESTATE APPELLATE TRIBUNAL, PUNJAB,
SAS NAGAR (MOHALI)**

APPEAL NO. 40 OF 2018

M/s Ansal Properties and Infrastructure Ltd, SCO No. 184,
Sector-9, Chandigarh - 160009.

....Appellant

Versus

Krishan Kant, Plot No. 538, Ansal API Golf Links-I, Sector-114,
SAS Nagar, Mohali, Punjab.

....Respondents

APPEAL NO. 42 OF 2018

Krishan Kant, Plot No. 538, Ansal API Golf Links-I, Sector-114,
SAS Nagar, Mohali, Punjab.

Versus

M/s Ansal Properties and Infrastructure Ltd, SCO No. 184,
Sector-9, Chandigarh - 160009.

Present: Sh. Sandeep Kumar, Advocate for the appellant in
appeal No. 40 of 2018 and for respondent in Appeal
No. 42 of 2018.

Sh. Krishan Kant, respondent in person in appeal
No. 40 of 2018 and appellant in appeal No. 42 of
2018..

CORAM: JUSTICE RAJIVE BHALLA, (RETD), CHAIRMAN
S.K. SHARMA, IPS (RETD.), MEMBER

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JUDGMENT: (Rajive Bhalla (J) (Retd): (oral)

APPEAL NO. 40 & 42 OF 2018

By way of this order we shall dispose of Appeal No. 40 of 2018 titled as *Ansal Properties and Infrastructure Ltd. Vs. Krishan Kant* and Appeal No. 42 of 2018 titled as *Krishan Kant Vs. Ansal Properties and Infrastructure Ltd*, as they arise from a common order dated 11.09.2018 passed by the Real Estate Regulatory Authority Punjab.

Counsel for M/s Ansal Properties and Infrastructure Ltd. and Mr. Krishan Kant, state that they have resolved their dispute as road gullies have been provided and Mr. Paramjit Singh, Assistant Project, Manager has undertaken to provide black top by the end of May.

Mr. Krishan Kant further states that he has no objection, if the order of penalty is set aside but it should be clarified that in case black top is not provided by the end of the month of May, 2019, the penalty waived shall be revived and he shall have the right to claim compensation by filing a complaint before the Adjudicating Officer, Real Estate Regulatory Authority, Punjab.

APPEAL NO. 40 & 42 OF 2018

In view of the aforesaid statements, the impugned order is set aside and the appeals are disposed of in the following terms:-

- (a) M/s Ansal Properties and Infrastructure Ltd. shall provide a black top over the road opposite Mr. Krishan Kant's house, by the end of May, 2019.
- (b) The respondent has already provided road gullies but in case it is necessary to provide any other road gully, the appellant undertakes to do so expeditiously.
- (c) The appellant shall ensure that the level of manholes is maintained.
- (d) In view of statement made by Mr. Krishan Kant penalty imposed by the Authority is set aside but in case the black top is not provided by the end of May, 2019 and other directions are not adhered to , it shall be revived.
- (e) In case M/s Ansal Properties and Infrastructure Ltd. does not adhere to its undertakings, Mr. Krishan Kant would be at liberty to approach the Adjudicating Officer, Real

APPEAL NO. 40 & 42 OF 2018

Estate Regulatory Authority by way of a complaint, for compensation.

In view of what has been recorded herein above, the appeals are disposed of accordingly.



JUSTICE RAJIVE BHALLA (RETD.)

CHAIRMAN



S.K SHARMA, IPS (RETD.)

MEMBER

February 13, 2019
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