

6

REAL ESTATE APPELLATE TRIBUNAL, PUNJAB AT CHANDIGARH
APPEAL NO. 270 OF 2020

VARDHMAN PARK RESIDENTS WELFARE SOCIETY
VERSUS
REAL ESTATE REGULATORY AUTHORITY PUNJAB AND ANR.

Present: - Mr. Sanjiv Gupta, Advocate for the appellant.
Mr. Munish Gupta, Advocate for the respondent
No.2.
Mr. Vipul Joshi, Advocate for RERA, Punjab.

Pursuant to our order dated 12.05.2022, a brief comments have been received from the Authority regarding the proceedings held before one of its Members, which according to us reflected some dichotomy, as recorded in our previous order.

The note submitted by the Authority merely indicates what is evident on record already i.e. passing of the two orders. The essence of our order was to ensure for ourselves a report regarding the ground realities pertaining to the project in question that led to the passing of the two orders by the Authority, liberating the developer of the consequences under Section 59 of the Act. In order to establish the correctness of either of the orders passed by the Authority i.e. of 03.03.2020 & 07.07.2020, such a comprehensive report is essential, particularly when the complaint centers around it.

In the absence of report/material, we are unable to record a justification of either the proceedings before the Authority or the orders in question passed by it. We are of the



opinion that under the Act the Authority has ample powers to unravel the facts relating to the project in question through its officers and accordingly we direct the Authority to initiate such a process by authorizing any of its officials or any other person it deems fit to report to us about the current status of the project in question i.e. " Park Avenue and Vardhman Park". The status report would clearly set out the current status as also the one existing at the time of passing of the orders.

List on 25.08.2022 for further proceedings.

Self

JUSTICE MAHESH GROVER (RETD.)

CHAIRMAN

Self

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

Self

ER. ASHOK KUMAR, G. C.E. (RETD.)
MEMBER (ADMINISTRATIVE/ TECHNICAL)

July 07, 2022

AN



Certified To Be True Copy

Chamansh Kumar

Registrar
Real Estate Appellate Tribunal Punjab

20-07-22