

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

Subject: -

EXECUTION NO. 05 OF 2023
IN APPEAL NO. 111 of 2022

1. Dr. Raj Kumar Sharma S/o Sh. Bhola Ram Sharma, R/o House No.45, Sector-27 A, Chandigarh-160019
2. Ashwini Kumar Sharma, S/o Sh. Bhola Ram Sharma, R/o House No.45, Sector-27 A, Chandigarh-160019

...Decree Holder

Versus

M/s ATS Infrabuild Pvt, Ltd. 711/92, Deepali, Nehru Place, South Delhi, New Delhi-110019

....Judgment Debtor

Memo No. R.E.A.T./2023/ 353

To,

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



Whereas Execution Application 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 Execution Application 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 27th day of September 2023.

T. Ranveer Singh
REGISTRAR

REAL ESTATE APPELLATE TRIBUNAL, PUNJAB

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

Execution Application No. 05 of 2023 In
APPEAL NO. 111 OF 2022

In the matter:

Dr. Raj Kumar Sharma & Anr.

....Appellants

Versus

M/s ATS Infrabuild Private Limited.

....Respondent

MEMO OF PARTIES

1. Dr. Raj Kumar Sharma

S/o Sh. Bhola Ram Sharma
R/o House No. 45, Sector 27-A,
Chandigarh-160019.

2. Ashwani Kumar Sharma

S/o Bhola Ram Sharma,
R/o House No. 45, Sector 27-A,
Chandigarh-160019.

....Appellants/Decree Holders

VERSUS

M/s ATS Infrabuild Pvt. Ltd.

711/92, Deepali,
Nehru Place, South Delhi
New Delhi-110019

....Respondent/Judgment Debtor




Shubmit Hans
D/2082/2015

Counsel for the Appellants

Hans Law Associates

D-302, Green Lotus Avenue, Zirakpur (Chd.)
Mb. +91- 8447678380,
E-mail- advshubhnithans@gmail.com

**Chandigarh
Date: 24.04.2023**

REAL ESTATE APPELLATE TRIBUNAL, PUNJAB AT CHANDIGARH

EXECUTION APPLICATION NO. 05 OF 2023

IN APPEAL NO. 111 OF 2022

DR. RAJ KUMAR SHARMA & ANOTHER

VERSUS

M/S ATS INFRABUILD PVT. LTD.

Present: - Mr. Piyush Kumar, Advocate for Shubhnit Hans,
Advocate for Applicants
Mr. Ravinder Rana, Advocate for non-applicant

EXECUTION APPLICATION NO. 05 OF 2023

Two drafts amounting to Rs.15,00,000/- in all have been handed over to the applicants in Court today, as a measure of satisfaction of their claims. It has been agreed before us between the parties that by the 15th of each month an amount of Rs.15,00,000/- shall be deposited by the non-applicant M/s ATS Infrabuild Pvt. Ltd. in the account of the applicants, the details of which shall be furnished by the applicants during the course of the day and communicated to the non-applicant as well.

An amount of Rs.10,00,000/- already stands paid as noticed in our previous order dated 17.08.2023. According to the non-applicant the total liability comes to Rs.1,75,00,000/- whereas according to the applicants the figure comes to Rs.1,81,00,000/- now accumulated to Rs.1,86,00,000/- on account of accrual of interest. We do not intend to enter upon the disagreement between the parties on this aspect for the present but to ensure equitable justice, for the present, we accept the plea of the non-applicant that an amount of Rs.15,00,000/- be deposited in the account of the applicants by 15th of each month. In case of any violation the applicants shall be at liberty to apprise this Court. We make it clear to the non-applicant that any deviation from his stand or violation of the terms of the order or his own undertaking shall be treated as a violation of our order/directions and dealt with appropriately.



The learned counsel for the non-applicant, however, states that he has instructions to say that the non-applicant shall adhere to the statement made by him before this Court.

In view of the above we adjourn the matter sine die with a liberty to the applicants to revive the same either upon a violation committed by the non-applicant or upon a receipt of the entire amount of Rs.1,75,00,000/-.



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)

September 21, 2023

AG

Certified To Be True Copy

Manendra Kumar
Registrar
Real Estate Appellate Tribunal Punjab
Chandigarh

27/09/2023