

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

Subject: -

Appeal No. 49 of 2023

M/s Innovative Housing and Infrastructure (P) Ltd

PCL House, SCO-198, Opp. Sports Complex, Sector 7C, Chandigarh

...Appellant

Versus

REAL Estate Regulatory Authority Punjab

1st Floor, Plot No.3, Block B, Madhya Marg, Sector 18A, Chandigarh

....Respondent

Memo No. R.E.A.T./2024/ 08

To,

REAL ESTATE REGULATORY AUTHORITY, PUNJAB 1ST 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 10th day of January 2024.

Dhanendra Kumar
REGISTRAR

REAL ESTATE APPELLATE TRIBUNAL, PUNJAB

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IN THE REAL ESTATE APPELLATE TRIBUNAL, PUNJAB AT
CHANDIGARH

M/s Innovative Housing and Infrastructure (P) LtdAppellant

Versus

Real Estate Regulatory Authority PunjabRespondent

MEMO OF PARTIES

M/s Innovative Housing and Infrastructure (P) Ltd

PCL House, SCO-198, Opp. Sports Complex, Sector 7C, Chandigarh ...Appellant

Versus

Real Estate Regulatory Authority Punjab

1st Floor, Plot No.3, Block B, Madhya Marg, Sector 18A, Chandigarh

...Respondent



Place: Chandigarh

Date: 27/09/2023

Through Counsel

Mohit
Pooja *Saloni*
Mohit Dhiman & Pooja & Saloni Thakur
(PH/5981/2021) & (PH/2251/2019) & (PH/2224/2022)
(Advocates)

Counsel for the Appellant

REAL ESTATE APPELLATE TRIBUNAL, PUNJAB AT CHANDIGARH
APPLICATION NO. 189 OF 2023

AND

APPEAL NO. 49 OF 2023

M/S INNOVATIVE HOUSING & INFRASTRUCTURE PVT. LTD.

VERSUS

REAL ESTATE REGULATORY AUTHORITY, PUNJAB

Present: - Mr. Gagandeep Singh Wasu, Advocate for respondent
Mr. Prashant Rana, Advocate for RERA, Punjab.
Mr. Jaspal Singh Khara, Assistant Manager (Legal) RERA, Punjab.
Mr. Deepak Juneja, Manager(Legal) RERA, Punjab.

The only issue of concern raised in the present appeal is that even though, the Authority was in the know of pendency of an application for extension of registration, moved by the present appellant, yet, without deciding the same it proceeded to visit the consequences of Sections 8, 35, 37, 38 and 61 of the Act by treating the registration as lapsed.

Clearly when an application for extension of registration was pending, the Authority could not have treated the proceedings/registration to have lapsed. It was incumbent upon it to decide the application for extension of registration by giving detailed reasons, were it to, disagree with the request for extension of the registration and only thereafter such severe consequences contemplated in the Act could have been visited upon the appellant.



We therefore dispose of the appeal with a direction to the Authority to decide the application for extension of registration within a period of 2 weeks from the date when the parties put in appearance before it. Since, the appellant has filed the appeal no further notice would be required to be given to him. The parties to appear before the Authority on **18.01.2024**.

We make it clear that our order is not a reflection on the merits of the order passed by the Authority and impugned before us.



Sd/-
JUSTICE MAHESH GROVER (RETD.)
CHAIRMAN

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

January 04, 2024

SR

Certified To Be True Copy

Shanesh Kumar
Registrar
Real Estate Appellate Tribunal Punjab
Chandigarh

10/01/2024