

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

Subject: -

**APPEAL NO. 38 OF 2022**

**SACHIN JAGLAN**

**VERSUS**

**M/S MANOHAR INFRASTRUCTURE & CONSTRUCTIONS PVT.  
LTD.**

Memo No. R.E.A.T./2022/252

To,

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

Whereas appeals 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 appeals 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  
31<sup>st</sup> day of May, 2022.

*Dhanendra Kumar*

REGISTRAR

REAL ESTATE APPELLATE TRIBUNAL, PUNJAB



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**IN THE PUNJAB STATE REAL ESTATE APPELLATE TRIBUNAL**  
**SCO 95-98, Bank Square, Sector 17-B, Chandigarh – 160017**

**Appeal No** 38 **of 2022**

**MEMO OF PARTIES**

SACHIN JAGLAN AGE ABOUT 24 YEARS SON OF RAMMEHAR CHAND RESIDENT OF HOUSE  
NO. 603, UPPER GROUND FLOOR, PALM RESIDENCY, NEW CHANDIGARH, SAS NAGAR.

.....Petitioner

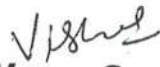
Versus

1. M/S MANOHAR INFRASTRUCTURE & CONSTRUCTIONS PVT. LTD. , SCO No. 139-141,  
SECTOR 17-C, CHANDIGARH THROUGH TARNINDER SINGH MANAGING DIRECTOR,.
2. CHIEF ADMINISTRATOR, GMADA, PUDA BHAWAN, SECTOR 62, SAHIBZADAAJIT  
SINGH NAGAR (MOHALI)
3. CHIEF TOWN PLANNER, PUNJAB PUDABHAWAN, SECTOR 62, SAHIBZADAAJIT SINGH  
NAGAR.

Respondents

CHANDIGARH.

DATE 15.02.2022

  
**(VISHAL SATIJA)**  
ADVOCATE  
COUNSEL FOR PETITIONER



REAL ESTATE APPELLATE TRIBUNAL, PUNJAB AT CHANDIGARH  
APPEAL NO. 38 OF 2022

SACHIN JAGLAN  
VERSUS  
M/S MANOHAR INFRASTRUCTURE & CONSTRUCTIONS PVT.  
LTD.

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**Present: -** Mr. Vishal Satija, Advocate for the appellant.

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This appeal is directed against the order of the Real Estate Regulatory Authority, Punjab dated 17.12.2022, where in Para 4 it has observed as below:-

*"We have considered the rival contentions carefully. The concerned authority for approval of plans and to ensure that construction is carried out in accordance with these is GMADA. Their latest report is clear and unambiguous that the construction carried out by the respondent is as per the approved plans. It had also reported that after injunction was issued no construction had been undertaken at the site. In view of this unambiguous report there is no merit in complainant's contention that the report does not include actual measurements of the site or its comparison with the site plans. Since there is no violation established on part of the respondent no relief can be allowed to the applicant. This application is accordingly dismissed."*

On 28.02.2022, we passed the following order:-

*"We do not find any reason to interfere with the impugned order, as the contentions of the appellant centering around the facts that were not brought to the notice of the Authority in the first instance. No objections were filed by the appellant against the report of the GMADA, which forms the foundation of*





*the impugned order. Besides the plea that construction is being raised contrary to the sanctioned plans is not borne out from any material on record, especially after reading the report of the GMADA Authority. Apart from that, it is noticed from the material on record that layout plans have been re-submitted to bring changes from the original plan in conformity to the ones that have now been submitted.*

*There is nothing to show that there has been any violation subsequent thereto. However, since learned counsel for the appellant prays for some time to make his submissions, we, in the interest of justice, adjourned the case to 28.03.2022."*

Whereafter, several opportunities were given to the appellants to show and establish before us any violation of the layout/approved plan committed by the respondent. No such material has been shown to us and therefore we have no reason to interfere with the findings of the Authority recorded in the impugned order and the appeal is therefore dismissed.

*Sdr*  
JUSTICE MAHESH GROVER (RETD.)  
CHAIRMAN

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

*Sdr*  
ER. ASHOK KUMAR GARG, C.E. (RETD.)  
MEMBER (ADMINISTRATIVE/ TECHNICAL)

May 16, 2022  
AN



Certified To Be True Copy

*Manoj Kumar*  
Registrar  
Real Estate Appellate Tribunal Punjab  
Chandigarh

*31/05/2022*