

**Before Sh. J. S. Khushdil, Adjudicating Officer,  
Real Estate Regulatory Authority, Punjab, Plot No.3, Block-B,  
First Floor, Madhya Marg, Sector 18A, Chandigarh-160018.**

Complaint No. AC No.52/2018  
Dated of Institution: 16.07.2018  
Date of Order: 20.12.2018

Mrs. Vijay Laxmi Sabharwal wife of Mr. Vinod Sabharwal resident of House No.4,  
Phase II, Jaggi Colony, Ambala City, Haryana presently residing at House No.1267,  
Sector 91, SAS Nagar Mohali.

Complainant

Versus

M/s OMAXE Chandigarh Extension Developers Pvt. Ltd., through its project head  
c/o SCO No.143-144, Sector 8C, Chandigarh, registered as (PBRERA-SAS80-  
PR0033).

Respondent

Complaint under Section 31 read with Section 71 of the Real Estate  
(Regulation and Development) Act 2016 in form N.

Present: Shri Varun Luthra representative for complainant  
Shri Munish Gupta representative for the respondent

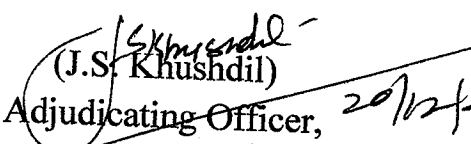
ORDER

- (S/S) Khushdil -*  
*20/12/2018*
1. Vijay Laxmi (hereinafter called as the complainant) has filed this complaint against M/s OMAXE Chandigarh, (here-in-after called as the respondent) alongwith documents alleging violation of Section 18 of the Real Estate (Regulation and Development) Act

2016 (herein-after called as the Act) seeking refund, interest etc. as per the provisions of the Act on account of non-delivery of possession of plot No.OCE/11/35 in OMAXE Phase-3 Sector 15, New Chandigarh despite of the fact that the complainant has paid an amount of Rs.61,75,300/- towards the price of the property as Rs.78,76,810/-. It is alleged by the complainant that the project in question has been registered with this Authority.

2. Upon notice, respondent appeared and filed written reply denying the averments of the complaint.
3. Heard. In view of the circulars dated 09.10.2018 and 21.11.2018 of the Authority, the Adjudicating Officer lacks the jurisdiction to grant relief of refund or interest. Therefore, in the larger interest of justice, the complaint is ordered to be returned to the complainant, who is at liberty to file a fresh complaint before the Authority as per the decision of learned Authority. Copy of this order be supplied to the parties under Rules.

Dated: 20.12.2018

  
(J.S. Khushdil)  
Adjudicating Officer,  
Real Estate Regulatory Authority, Punjab.