

REAL ESTATE REGULATORY AUTHORITY, PUNJAB
1st Floor, Block B, Plot No.3, Madhya Marg,
Sector 18, Chandigarh -160018
www.rera.punjab.gov.in

CIRCULAR

No. RERA/Pb./ENF/14

Dated: 29-10-2018

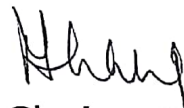
The matter regarding the jurisdiction of the Adjudicating Officer vis-à-vis that of the Authority was considered by the Authority in its 7th meeting held on 09.10.2018. After detailed discussions, the Authority decided that as made clear in Section 71 of the Real Estate (Regulation and Development) Act, 2016, the role of the Adjudicating Officer is confined to adjudging compensation under Sections 12, 14, 18 and 19 of the Act.

Further, it was decided that a claim for refund of the amount deposited by a complainant with the respondent, along with interest thereon, is not a claim for 'compensation'; and hence complaints in which this relief is claimed should be filed under Form 'M' and will be decided by the Authority or its concerned Bench. The complainant shall be free to file a separate claim in Form 'N' before the Adjudicating Officer for compensation at the initial stage, in addition to his claim in Form 'M' for refund of amount deposited and interest thereon.

The Authority also noted that in a number of cases the relief of compensation for harassment etc. was

claimed in the complaint but was not pressed at the time of arguments. It was accordingly further decided that if the relief of compensation was claimed in addition to the refund of the amount and interest thereon the complaint would still be filed in Form 'M'; and if the point of compensation was actually pressed the complainant would be advised to file a separate complaint before the Adjudicating Officer for this purpose.

The Legal Branch should scrutinize the complaints received henceforth in accordance with the above decision.



Chairperson
Real Estate Regulatory Authority
Punjab