

ITEM NO.45

COURT NO.3

SECTION X

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Miscellaneous Application No. 2561/2019 in W.P.(C) No. 43/2019

PIONEER URBAN LAND AND INFRASTRUCTURE
LIMITED & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No. 6542/2020 - CONDONATION OF DELAY IN FILING and IA No.
6023/2020 - EXEMPTION FROM FILING O.T.)

Date : 11-08-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s)

By Courts Motion

For Respondent(s)

Mr. Tushar Mehta, SG (N/P)
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Mr. Md Sontu Mia, Adv.

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Ms. Shreya Singh, Adv.

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Mr. Mayank Dahiya, Adv.

Mr. Gurmeet Singh Makker, AOR

Mr. Shrirang B. Varma, Adv.

Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya A. Pande, Adv./AOR
Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Learned Additional Solicitor General has submitted a chart with the heading "Real Estate (Regulation & Development) Act, 2016 [RERA] - Implementation Progress Report". The summary thereof, as stated in the chart, is as under: -

"Summary:

- All States/UTs have notified rules under RERA except Nagaland, which is under process to notify the rules.
- 32 States/UTs have set up Real Estate Regulatory Authority (Regular - 27, Interim - 05). *Ladakh, Meghalaya and Sikkim have notified the rules while yet to establish Authority.*
- 28 States/UTs have set up Real Estate Appellate Tribunal (Regular - 24, Interim - 04). *(Arunachal Pradesh, Jammu & Kashmir, Ladakh, Meghalaya, Mizoram, Sikkim and West Bengal are under process to establish).*
- Regulatory Authorities of 30 States/UTs have operationalized their websites under the provisions of RERA. *(Arunachal Pradesh and Manipur are under process to operationalize).*
- 1,09,308 Real Estate Projects and 77,704 Real Estate Agents have registered under RERA across the country.
- 1,11,222 Complaints have been disposed-off by the Real Estate Regulatory Authorities across the country."

In view of the aforesaid summary/chart, we deem it appropriate to issue notice to the respective Chief Secretaries for the States of Nagaland, Meghalaya and Sikkim, and the Union Territory of Ladakh, who have yet to notify the RERA Rules or have notified the RERA Rules but are yet to establish the Real Estate Regulatory Authority, and respective Chief Secretaries for the States of Arunachal Pradesh, Meghalaya, Mizoram, Sikkim and West Bengal, and the Union Territories of Jammu & Kashmir and Ladakh, who have passed only interim orders notifying the Real Estate Regulatory Authority or are under process to establish.

Affidavits would be filed by the concerned Chief Secretaries indicating the progress made with regard to enforcement and implementation of the Real Estate (Regulation and Development) Act, 2016, within a period of 60 days from the date of service of this order.

Re-list in the month of January 2024.

(DEEPAK GUGLANI)
AR-cum-PS

(R.S. NARAYANAN)
ASSISTANT REGISTRAR