



HARYANA REAL ESTATE REGULATORY AUTHORITY, PANCHKULA.

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Extract of the resolution passed by the Haryana Real Estate Regulatory Authority, Panchkula in its meeting held on 06.11.2024.

Item No. 268.24

Continuation of registration of project under Section-7(3) of the RERA Act, 2016.

Promoter: Ansal Landmark (Karnal) Township Pvt. Ltd.

Project: "Sushant City, Sector-36 Karnal" a residential plotted colony on land measuring 57.654 acres situated in Sector 36, Karnal, Haryana.

Reg. No.: 134 of 2017 dated 28.08.2017 valid upto 30.09.2019, first extension granted upto 30.09.2020, second and general extension granted upto 30.03.2022, third extension and general granted upto 30.06.2023.

Temp ID: 543-2019.

Present: Sh. Amit Malhotra, AR, Piyush Bansal, Advocate.

1. The matter was placed before the Authority in its meeting held on 26.07.2023 vide item no. 220.10 whereby Authority had directed the promoter to submit CA Certificate, Engineering Certificate and Architect Certificate along with photos of the project.

2. Promoter vide letter dated 05.09.2023 submitted approved Service Plans/Estimates dated 28.12.2022, Photographs of the project, Architect certificate which states that 99.1% of the infrastructural and construction work has been completed including roads, storm line, sewer line, electricity etc. as on 24.08.2023. C.A. certificate which states that balance in escrow account on 24.08.2023 is ₹262.94 lakhs. The promoter has requested for extension of registration for one year i.e. upto 30.06.2024. Audit of project has already been got conducted.

3. Notice under section-35 of RERA Act, 2016 was issued to the promoter and (Suo Motu Monitoring Complaint 2138-2023 was generated) as the Promoter has failed to



complete the project even after third extension as to why project may not be handed over to the Association of Allottees. The Complaint was scheduled for hearing on 16.10.2024.

4. On 26.09.2023, the Authority was of the view that promoter has failed to complete the project after grant of third extension. After consideration, Authority decided that promoter be personally present on next date of hearing to explain the resolution plan for completion of project. Adjourned to 04.12.2023.

5. On 04.12.2023, promoter was not present. Authorized representative sought time to comply with the directions of Authority. Acceding to the request, case was adjourned to 22.01.2024 with the directions that one of the Directors of the company will be present on the next date of hearing.

6. On 24.01.2024, Authority decided as under:

- i. *Inspection of site be got done from an empanelled Engineer firm for latest status of project.*
- ii. *No engineer certificate has been submitted. Different percentages of infrastructure and construction work have been given such as 99.1%, 67% and 45%. Promoter should explain the differences.*
- iii. *Total number of plots, plot sold and unsold be given.*
- iv. *Availability of funds for completion of project be submitted, i.e. amount received from allottees since registration, amount spent on infrastructure/construction, amount recoverable duly supported by CA Certificate.*
- v. *Mr. Naresh, Director informed that revised resolution plan has been submitted. It may be examined by project section. Adjourned to 20.03.2024.*

7. Vide letter dated 03.09.2024, M/s Pro-tech Consortium appointed as Local Commissioner. Report awaited.

8. Vide reply dated 19.01.2024, the promoter has submitted the following:

- a. Engineer Certificate dated 09.01.2024 stating that total estimated cost for completion of the building(s) is 2258 lakh, estimated cost incurred till date is 1209 lakh and the balance cost of completion of civil work/MEP and allied works of the building(s) of the project for obtaining occupation certificate/completion certificate from DTCP.
- b. CA certificate dated 18.01.2024 stating that 54% of expenditure has been made against the cost of development and construction.
- c. Architect certificate dated 31.12.2023:
 - i. Internal Roads & Pavements 90%



ii.	Water supply	67%
iii.	Sewerage	30%
iv.	Storm water drains	76%
v.	Parks and play grounds	78%
vi.	Street lighting	75%
vii.	Energy management	25%
viii.	Electrification	19%

(Work done in % of the total estimated cost as shown in CA certificate vary with the Architect certificate.)

- d. Undertaking on timelines for completion of development works stating that *the company will complete the development works on or before 30.06.2025 required for completion of the project w.r.t the subject RERA registration.* Photographs of the Project.
- e. Approval letter of service plan estimates dated 28.12.2022. (No estimates/approved service plan enclosed)
- f. Environmental Clearance issued on 18.01.2023 valid upto 17.01.2033. QPR uploaded upto 31.12.2023.
- g. That complete EDC/IDC has been paid to the DTCP, supported by CA certificate.
- h. Total number of plots 340
Total sold plots 340
Unsold plots Nil
EWS plots handed over to Housing Board Haryana as per Departmental Policy
- i. The standard designs of SCOs for 1.98 acres commercial pocket has not been approved yet, they will submit the same as and when approved by DTCP.
- j. Request to allow them to complete the infrastructural development by 30.06.2025 as by handing over the society to RWA will affect the interest of the allottees.
9. The promoter is seeking fourth and fifth extension up to 30.06.2025. Fee for extension of one-year upto 30.06.2024 has been paid. The promoter has undertaken that he will be able to complete the development works by 30.06.2025.
10. Engineer's Certificate dated 09.01.2024 mentions that 54% of internal and external development works have been executed. The promoter on 24.01.2024 was asked to submit the availability of funds for completion of project, amount received from allottees since registration, amount spent on infrastructure/construction, amount recoverable duly supported by a CA certificate. The information has not been provided by promoter. Adjourned to 01.05.2024 with a direction to comply with earlier directions of the Authority failing which penalty proceedings u/s-63 shall be initiated.



11. The promoter vide reply dated 19.03.2024 has submitted:
- i. Engineer certificate dated 09.01.2024 (which was also submitted in reply dated 19.01.2024)
 - ii. Work completed at site is 54% as per submitted engineer certificate, the variation in percentages in earlier Engineer certificates was because in non-consideration of additional work to be done basis recently received service estimates,
 - iii. Total number of plots are 340 and unsold plot is nil.
 - iv. Standard Designs of SCOs has not been approved yet, they will submit approved drawing as and when approved and will request for issuance of fresh RERA registration thereof,
 - v. C.A. certificate dated 16.03.2024 states:
Collections from allottees (100% amount) since registration 9.35 cr.
70% transfer of RERA payment A/c 6.43 cr.
Interest on FDR 0.09 cr.
Total funds available in RERA a/c for infrastructure development 6.52 cr.
Infrastructure development Exp spent from RERA a/c 4.05 cr.
Balance funds available into RERA payment a/c 2.47 cr.
Additional infrastructure/construction Exp spent by promoters 1.38 cr.
Amount recoverable from allottees 0.17 cr.
12. Fourth Extension under consideration is upto 30.06.2024. Promoter will be able to complete the development works by 30.06.2025. 54% development works have been executed at site. On 1.05.2024, Authority decided that promoter should submit resolution plan for completion of project quarter wise and adjourned the matter to 07.08.2024.
13. Vide letter dated 27.06.2024, the promoter has applied for continuation registration for the fifth year, i.e., upto 30.06.2025 and paid extension fee of Rs. 6,85,982/-. QPRs have been uploaded upto 30.06.2024. No resolution plan for completion of project quarter submitted by the promoter.
14. As per CA Certificate dated 18.01.2024, 10.49 crores will be required for balance works to be executed. No resolution Plan has been submitted. However, the date of completing the works has been mentioned as 30.06.2025.
15. On 07.08.2024, after consideration, Authority decided to grant fourth extension upto 30.06.2024. Promoter should submit detailed resolution plan otherwise further extension will



not be considered. As fourth extension has been granted, Authority may consider to handover the project to Resident Welfare Association to safeguard the interest of allottees. Managing Director/one of the Directors be personally present on next date of hearing. Adjourned to 16.10.2024.

16. Vide letter dated 06.08.2024, Promoter has submitted a Resolution plan, which states the following:

Revised Estimated Cost required for completion as per recently received service Estimates – 2258 Lakhs

Progress Percentage till 30.06.2024 – 56.37%

Pending Progress: 43.62%

Pending Progress Amount June 2024 – 1031 Lacs

Promoter also submitted quarter wise expenditure to be made upto Quarter-4 of 2025-26 amounting to 1026 Lacs.

17. Authority observes that after granting 4th extension up to 30.06.2024, 46% development work is left. There appears to be no possibility to complete project by 30.06.2025 as given by promoter.

18. Sh. Amit Malhotra, AR, Piyush Bansal, Advocate stated that delay is due to previous promoter who kept the project pending. He further submitted that resolution plan and LC report has been submitted. Availability of funds has also been given.

19. Ld. Counsel of RWA submitted that all the plots have been sold and there is no unsold inventory except commercial area. How the funds will be generated by promoter?

20. After consideration, Authority decided as under:-

- i. Ld. CTP is appointed as local commissioner for inspection of site in addition to already appointed LC.
- ii. Promoter should deposit Rs. ten crores in designated RERA account to show his credibility of infusing his own funds for completion of the project.
- iii. No maintenance charges are to be collected from allottees till grant of part completion certificate.
- iv. A list of allottees to be given to RWA and Authority.



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- v. Managing Director/ one of the Directors was required to be physical present but has not appeared. Hence, Authority decided to impose a cost of Rs. one lac on the promoter. Managing Director/ one of the Directors be personally present on next date of hearing.
10. Adjourned to 08.01.2025.



Received on 25/11/24

Rashu
25/11/24

True copy

Executive Director,
HRERA, Panchkula

~~anand~~
25/11/24

A copy of the above is forwarded to CTP, HRERA Panchkula, for information and taking further action in the matter.

LA (Kakul)