



HARYANA REAL ESTATE REGULATORY AUTHORITY, PANCHKULA.

Mini Secretariat (2nd and 3rd Floor), Sector-1, Panchkula.

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Extract of the resolution passed by the Haryana Real Estate Regulatory Authority, Panchkula in its meeting held on 18.12.2024.

Item No. 273.31

Continuation of registration of project under Section 7 (3) of the Act.

Promoter: Bestplus Developers Pvt. Ltd.

Project: "Rohtak Greens" - an affordable residential plotted colony on land measuring 7.75 acres in Sector 25D, Village Pehrawar, Rohtak.

Reg. No.: 238 of 2017 dated 20.09.2017 valid upto 31.12.2019. First Extension in addition to 6 months of covid extension granted upto 30.06.2021.

Temp ID: 1158-2022

1. Vide letter dated 20.03.2024, the Authorised Signatory for Promoter applied for continuation of registration of captioned project which was examined and following deficiencies/shortcomings were conveyed to the promoter vide letter dated 22.04.2024 :

- i. Resolution plan for completion of the project be submitted.
- ii. Since extension is to be considered from Sept, 2021 to Sept, 2024, Registration fee is deficit by ₹1,87,366/-.
- iii. Undated Architect and Engineer certificates have been submitted.
- iv. CA Certificate informing the latest stage of construction has not been submitted.
- v. Latest photographs of the project has not been submitted.
- vi. Audit of the project will be got conducted by the Authority, the cost of which shall be borne by the promoter. A public notice will be got issued by the Authority, the cost of which shall be borne by the promoter.

Thereafter, since no reply was received from the promoter, the Authority in its meeting held on 22.05.2024 has adjourned the matter to 14.08.2024.



2. On 14.08.2024, Authority gave last opportunity to promoter to comply with the orders of the Authority dated 22.04.2024 failing which penal proceedings will be initiated as per provisions of RERA Act, 2016.
3. Vide letter dated 03.09.2024 M/s KMK & Associates have been appointed to conduct the audit of the project and a public notice has also been issued in Dainik Bhaskar and the Tribune. (No objections received till date)
4. Neither any reply has been received from the Promoter nor Audit Report has been submitted till date.
5. As per Resolution dated 07.08.2024, Promoter should pay Rs. 1,78,244/- as late fee and Rs. 1,60,416/- as penalty. Since, the promoter has not paid 90% of the extension fee, we are conveying the late fee/penalty as computed till date after which final late fee/penalty shall be conveyed.
6. On 23.10.2024, Authority observed that promoter has not complied with the orders of the Authority dated 22.04.2024 despite granting last opportunity on 14.08.2024. Hence, Authority decided that promoter be issued show cause notice under Section-35 read with Section-61 and 63 of RERA Act,2016 for not complying with the provisions of the Act and orders of Authority. CA firm be issued reminder for submitting the report. Promoter should also pay late fee/penalty as per resolution of the Authority dated 07.08. 2024.Adjourned to 18.12.2024.
7. In view of above Show Cause Notice dated 05.12.2024 has been sent via email on 05.12.2024 to the Promoter.
8. Vide letter dated 18.10.2024, Audit Report of the Project has been received (sent to the promoter via email dated 21.11.2024 for comments) which states that:
 - i. Separate RERA Account has been opened by the Promoter.
 - ii. Details of withdrawal and utilization of funds:
Expenditure incurred for the Project as per Balance Sheets – Rs. 3.47 Crores. Out of total expenditure, the expenditure of Rs. 2.81 Crores i.e. 81.04 % is on construction and development. But as per QPRs – total expenditure incurred from 01.10.2018 to 31.03.2024 for the said quarters – Rs. 5.34 Crores which highly varies with the amount of total expenditure incurred on the project by the company and no reliable basis is provided for the verification of the same. No CA Certificates are provided by



the Company for verification of the amount specified in QPRs as to the withdrawal of money from RERA account for the expenditure on the Project.

Thus, expenditure incurred for the project on the development works out of the total expenditure is approx. 81% but the withdrawals are not in compliance with the provisions of Section-4(2)(1)(D) of RERA Act,2016 as the withdrawals for expenditure on the project had not been made from the RERA Account.

No explanation is provided by the Promoter of the said Project regarding total expenditure incurred on the said project.

- iii. Physical verification of site conducted on 20.09.2024 The amenities including the roads, parks etc and the demarcation of the plots provided by the concerned project has been duly assessed. Photographs of the site provided with the report. (not enclosed with the report)
 - iv. Plots cancelled/surrendered during the concerned period not provided by the company. There is a mention in a receipt of Plot No. 51 regarding adjustment of booking amount against cancellation of Plot No. 54 and in a receipt of Plot No. 74 regarding adjustment of the amount against cancellation of Plot No. 73.
 - v. QPRs for every respective Quarter from 2017 till quarter ended on 30.09.2018 of the Project were not submitted by the Company. QPRs for every respective Quarter ended on 31.12.2018 till 31.03.2024 has been submitted by the Company. All receipts/collections, amount deposited in the RERA Account and withdrawal from the RERA Account during the particular Quarter is not verified with the CA Certificates for the respective quarter as the CA Certificates were not provided by the Company.
 - vi. Closing balance of RERA Bank Account mentioned in QPRs at the end of each quarter has been duly matched with the closing balance in the Bank Statements at the end of the same quarter.
9. The matter is listed for hearing on 18.12.2024. No reply of the promoter on the show cause notice dated 05.12.2024 has been received and copy of Audit report was sent on 21.11.2024.
10. As no reply has been submitted by promoter, Authority adjourned the matter to 19.02.2025.



True copy

Deen

Executive Director,
HRERA, Panchkula

21/1/25

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

CA (Kakul)