



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 04.12.2024.

Item No. 271.28

Extension of the project under Section 6 and continuation of registration under Section-7(3) of the RERA Act, 2016.

Promoter: Sonika Properties Private Limited.

Project: "Tower 7 and Tower 9" – a Residential Group Housing Colony situated at Sector 36 A, Rohtak.

Reg. No.: HRERA-PKL-RTK-107-2019 dated 27.03.2019 valid upto 20.08.2020.

Temp ID: RERA-PKL-312-2018.

Present: Mr. Ravi Kant, Sr. Manager, AR.

1. The Authority had registered the above cited project on 27.03.2019. An automated system generated mail dated 16.01.2024 was sent to the promoter vide which it was informed that no extension has been obtained by the promoter and therefore the existing registration has lapsed on 20.08.2020. No further sale is permissible.

2. Thereafter, vide reply dated 16.02.2024, the promoter has submitted that Occupation certificates of above registered towers has been granted by DTCP, Haryana on 24.01.2019 prior to grant of registration by this Authority. The Authority in its meeting held on 25.02.2019 had observed that since Occupation certificate for the project was granted on January 2019 and application for grant of Occupation certificate was filed after July 2017, the project is liable to be registered. They submitted that the project has been completed much before the date of completion of the project, i.e., 20.08.2020 hence no extension was required to be obtained. In view of the same the promoter has requested to withdraw instruction



mentioned in email dated 16.01.2024 regarding extension of registration and restriction of sale in the project under reference.

3. The matter was placed before the Authority in its meeting held on 06.03.2024 vide item no. 244.04 and after consideration, Authority decided that as per provisions of RERD Act, 2016 and orders of Hon'ble Supreme Court passed in M/s Newtech Promoters & Developers (P) Ltd. Vs. State of UP & Others, compliances are to be made till the grant of completion certificate. Hence, promoter should apply for extension of project under Section-6 and Section-7(3) of RERA Act, 2016. After that request of promoter will be considered.

4. The Authority in its meeting held on 24.04.2024 vide item no. 250.14 wherein the Authority has observed that the promoter be issued show-cause notice under Section-35 read with Section-61 of RERA Act, 2016 for violating the provisions of RERD Act, 2016 and as to why penalty for violating the provision of the Act/Rules may not be imposed.

5. In view of the above, show cause notice dated 18.06.2024 was issued to the promoter. On 03.07.2024, Mr. Navneet Kumar, AVP was present and stated that reply has been filed on 01.07.2024. Hence, the Authority decided that reply be examined by project section and put up on the next date of hearing.

6. Vide reply dated 01.07.2024, the promoter has informed that since the colony stands completed in all respects therefore show cause notice may be withdrawn. They further requested that Extension of T-7 and 9 may also be exempted. If the Authority is of view that extension of registration is required till grant of completion certificate, they undertake to apply for the same.

7. Now, vide letter dated 03.07.2024, the promoter has applied for extension of the project for a period of 5 years and 9 months starting from 21.08.2020 to 20.05.2027 (including 9 months covid benefit): -

- a. The extension has been applied on proforma REP-V.
- b. Extension fee for Rs 4,30,825/- has been deposited, which is in order for 5 years extension.
- c. The promoter has stated that development works have already been completed and infrastructure facilities have been completed.



- d. OC for Tower 7 and 9 which were registered vide Registration no. HRERA-PKL-ROH-107-2019 dated 27.03.2019, has already been granted by DTCP, Haryana on 24.01.2019 prior to grant of RERA on 27.03.2019.
 - e. The present application has been applied under directions of Authority on 06.03.2024 and 24.04.2024
 - f. License No 65 of 2010 dated 21.08.2010 has now been renewed upto 20.08.2026.
 - g. Photographs of the project have been enclosed.
 - h. As per Architect and Engineer certificate, 100% works have been completed.
 - i. As per CA certificate dated 01.07.2024, total cash outflow is 57.12 crores.
8. Vide letter dated 22.07.2024 also, the promoter has affirmed that reply to the show cause notice has already been filed on 01.07.2024.
9. On 11.09.2024, Authority observed that no completion certificate has been issued for the project. Only occupation certificate has been granted. Compliances are to be made till grant of completion certificate. Hence, after consideration, Authority decided as under:
- I. Promoter has applied for extension after a gap of four years, hence late fee is applicable and be worked out.
 - II. Audit of project be got conducted from a CA firm empanelled by Authority. Promoter will extend full cooperation to the CA firm.
 - III. Public Notice in two newspapers be issued for inviting objections from general public.
 - IV. Further sale in the project is banned.
10. In view of above, vide letter dated 22.11.2024, M/s Anuj Goyal & Associates have been appointed to conduct Audit of the Project. Also, public notice has been published on 06.11.2024 in the Indian Express and Dainik Bhaskar. No objection against the public notice has been received till date.
11. Extension fee is in order for five years. As per resolution dated 07.08.2024, late fee is Rs.1,72,322/- and penalty is Rs.3,27,408/-
12. Mr. Ravi Kant, AR submitted that audit of the project is going on and all necessary help is being provided to CA firm. He further submitted that project is almost complete and have applied for completion certificate but the same has not yet been issued.



13. After consideration, Authority decided that promoter should deposit late fee of Rs.1,72,322/- and penalty of Rs.3,27,408/- as per resolution of Authority dated 07.08.2024 before next date of hearing. Promoter should also deposit Rs.41,300/- auditor fee and Rs.10,000/- for issuance of public notice fee.

14. Adjourned to 29.01.2025.



all ready
21/1/25

True copy

[Handwritten signature]

Executive Director,
HRERA, Panchkula

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

LA (Kakul)