



**HARYANA REAL ESTATE REGULATORY AUTHORITY, PANCHKULA.**

Mini Secretariat (2<sup>nd</sup> and 3<sup>rd</sup> Floor), Sector-I, Panchkula.

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**Extract of the resolution passed by the Haryana Real Estate Regulatory Authority, Panchkula in its meeting held on 15.01.2025.**

**Item No. 275.29**

**Extension of registration under Section 6 of the RERA Act, 2016.**

**Promoter: M/s Mapsko Builders Pvt. Ltd.**

**Project: "Mapsko Galleria" a commercial pocket on land measuring 1.82 Acres (7365.222 Sq. Mtrs) situated in Sector-27, Sonipat.**

**Reg. No.: HRERA-PKL-SNP-72-2018 dated 14.12.2018 valid upto 30.06.2019. Extension granted upto 30.06.2020.**

**Present: Mr. Sumesh Malhotra, Advocate through VC.**

1. The promoter vide letter dated 05.07.2023 had applied for extension of their project for gap period from grant of registration (30.06.2019) to grant of occupation certificate (08.08.2019). The same was heard by the Authority on 04.09.2023 vide item no. 225.10 wherein it was decided that promoter be asked to upload up to date quarterly progress reports. After that, extension case will be considered.
2. On 10.01.2024 (item no. 238.19), Adv Tarun Ranga appeared before the Authority and apprised that QPRs have been filed up to March 2020. Authority ordered that QPRs are to be filed up to the date of completion of the Project.
3. Thereafter, when the matter was heard by the Authority on 06.03.2024 vide item no. 244.06 Sh. Tarun Ranga apprised the Authority that up to date QPRs have been uploaded on web portal of Authority. Hence, Authority decided to grant one year extension under Section-6 of RERA Act, 2016.
4. However, on perusal it was noticed that QPRs have only been filed upto March 2020 and no QPRs have been filed after March, 2020. Thereafter, the promoter vide letter dated



28.06.2024 was directed to file upto date QPRs and after that extension will be considered. The date of hearing was given as 17.07.2024.

5. Furthermore, extension was also applied only for gap period from grant of registration (30.06.2019) to grant of occupation certificate (08.08.2019). As per Newtech Judgment and approval from Hon'ble Chairman on NP-8, extension/compliances have to be made in this case till the date of grant of completion certificate, since completion certificate has to be obtained in this case under the Urban Areas Act/Rules 1975.
6. The above was heard by the Authority in its meeting held on 07.08.2024 vide item no. 261.16 wherein the Authority decided to grant extension of one year under Section-6 of RERA Act, 2016. QPRs are to be filed up to the date of receipt of Completion Certificate. Hence, orders of Authority dated 06.03.2024 are amended to the extent that QPRs are to be filed up to grant of Completion Certificate and not up to receipt of Occupation Certificate. Authority further directed that promoter should apply for further extension as registration was valid up to 30.06.2019.
7. Thereafter, since no reply was received from the promoter, the Authority on 13.11.2024 decided that promoter be issued show cause notice under Section-35 read with Section-61 of RERA Act, 2016 as to why penalty may not be imposed for not applying for extension up to the grant of completion certificate. Authority also decided to ban further sale in the project since the extension granted has already lapsed.

In view of the above, show cause notice dated 23.12.2024 was issued to the promoter.

8. Now, vide reply dated 07.01.2025, the promoter has submitted as under: -
  - i. That registration for the project was granted by the Authority vide registration certificate bearing no. HRERA-PKL-SNP-72-2018 dated 14.12.2018, which was valid till 30.06.2019. In the meantime, the development of the project was completed by the Respondent Promoter and the Respondent Promoter submitted an application on 08.05.2019 with the Town and Country Planning, Haryana for grant of Occupation Certificate in respect of the project, i.e., within the validity of RERA registration.
  - ii. Thereafter, the project was granted Occupation Certificate by Director Town and Country Planning, Haryana on 08.08.2019. It is pertinent to point out that the project being commercial pocket of the larger township project namely "MAPSKO Garden Estate" spread over 134.205 Acres in the revenue estate of village Ahmedpur and



- Bandhepur, Sector - 26, 27 and 28 District - Sonapat, Haryana had been granted part completion certificate on 26.02.2014.
- iii. The said larger project was separately registered with the Ld. Authority. While granting the part completion certificate the DCP, Haryana noted that required development works such as water supply sewerage, storm water drainage, roads, horticulture and electrification has been completed to their satisfaction, clearly indicating that development works in the larger project, which included the present project i.e., MAPSKO Galleria.
  - iv. Given the fact that registration for the project had expired on 30.06.2019 and the Occupation Certificate was received on 08.08.2019. The Respondent promoter applied for extension on 05.07.2023, for grant of registration for the gap period from 30.06.2019 to 08.08.2019 i.e., the date of grant of occupation certificate, wherefore the Ld. Authority before granting the extension directed the Respondent Promoter to upload up to date Quarterly progress reports (QPRs).
  - v. Thereafter, on 06.03.2024, the Authority was apprised that QPRs have been filed upto March, 2020 and the Ld. Authority agreed to grant extension for one year. However, the Ld. Authority on 17.07.2024 directed the Respondent Promoter to file QPRs upto date and made it a condition for considering the extension. It is pertinent to note that the project was complete in respects on the date of grant of occupation certificate dated 08.08.2019 and the extension of registration was sought by the Respondent Promoter only for the gap period. However, the Authority, without concurrence of the Respondent Promoter proceeded to consider the case for grant of extension for one year. The Ld. Authority earlier vide its order dated 06.03.2024 directed the filing of the QPRs till the grant of Occupation Certificate and then vide its Order dated 07.08.2024, the Ld. Authority amended its Order dated 06.03.2024 and directed the Respondent Promoter to file PRs till grant of Completion Certificate. At the same time, vide its meeting on 07.08.2024, the Ld. Authority decided to grant extension and granted extension of one year till 30.06.2020.
  - vi. While parallelly, the Authority vide order dated 26.12.2022, registered suo-motu complaint bearing no. 1960 of 2022, against Respondent Promoter concerning the alleged noncompliance with the requirement of uploading QPRs imposed and collected a cumulative penalty of INR 3,89,000/- from 05.07.2023 to 28.02.2024. Further without intimation of date of hearing on 09.10.2024, held a meeting and imposed cumulative penalty of INR 22,40,000/- to be deposited before next date of



- hearing i.e., 11.12.2024 and further imposed a per day penalty of INR 25,000/- starting from 09.10.2024 to the date QPRs are filed.
- vii. That it is pertinent to highlight that suo motu complaint first the Order dated 28.02.2024 imposing penalty was uploaded on 01.05.2024. On the next date i.e., 29.05.2024 Authority did not hold sitting. Thereafter, without any notice or intimation date of hearing was fixed for 09.10.2024. After this hearing was fixed for 11.12.2024, Order in respect of which is yet to be uploaded by Authority.
- viii. That in light of the above factual backdrop following points of objections/consideration emerge: -
- a) The Authority despite the Respondent Promoter having received Occupation Certificate dated 08.08.2019 and submitted the same with the Ld. Authority, clearly indicating the project to have been completed, has unnecessarily coaxed the Respondent Promoter to seek extension of one year instead for the period up till grant of Occupation Certificate and make compliances as if the project is still under development.
  - b) The Authority having initially ordered to file QPRs till the date of grant of Occupation Certificate vide order dated 06.03.2024 has unilaterally and arbitrarily amended its own order on 07.08.2024, to the effect creating a retrospective obligation on the Respondent Promoter to file QPRs till grant of completion certificate and has harshly penalized the Respondent Promoter. Regardless, the Authority in amending its own order has sought to review its own order and place Respondent promoter in a fait accompli, situation.
  - c) That said, in light of the recent amendment to Haryana Development and Regulation of Urban Areas Act, 1975 vide amending Act of 2024, passed on 18.12.2024. By virtue of the said amendment, the Occupation Certificate has been brought at par with the completion certificate and in case where colonizer has obtained occupation certificate in respect of building blocks and part completion in respect of plotted colony, no further scrutiny for the purpose of completion certificate is required. The said amendment has been made retrospectively applicable in terms its Section 1(2) from 30.01.1975.
  - d) The Authority has failed to take cognizance of the fact that part completion in respect of the larger project had been received on 26.02.2014, clearly indicating that infrastructure outside the project in question is already complete and does not require any further scrutiny.



9. Authority observes that under RERA Act, 2016 formalities are to be completed till the grant of completion certificate. Hence, Authority decided that promoter should apply completion certificate of commercial area under intimation to Authority and comply with the earlier directions of the Authority.

10. Adjourned to 26.03.2025.



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30/1/25

True copy

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Executive Director,  
HRERA, Panchkula

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

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