



**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 15.01.2025.**

**Item No. 275.41**

**Continuation of registration for second year U/s- 7(3) of RERD Act, 2016.**

**Promoter: VPN Real Estate Pvt. Ltd.**

**Project: Ganpati Smart City- Residential Plotted Colony on land measuring 26.522 acres situated in sector 21, village Kherpur, District Sirsa, Haryana.**

**Reg. No.: HRERA-PKL-SRS-134-2019 dated 15.07.2019 valid up to 31.10.2021 extended upto 31.07.2023.**

**Temp ID: 372-2018**

1. M/s VPN Real Estate Pvt. Ltd. vide letter dated 19.07.2023 had applied for continuation of registration under Section 7(3) of RERD Act, 2016 of their project "Ganpati Smart City" a Residential Plotted Colony on land measuring 26.522 acres situated in Sector 21, Sirsa registered vide registration no. 134 of 2019 dated 15.07.2019 valid upto 31.10.2021. First extension is valid upto 31.07.2023 (including period of nine months).

2. The promoter has not submitted CA Certificate, Engineer Certificate and Architect Certificate. Photographs showing the present position at site have not been submitted. The applicant promoter has submitted Rs.3,07,000/- as extension fee which is deficit by Rs.5,122/-. The promoter has submitted online quarterly up to 30.06.2023.

3. The matter was placed before the Authority in its meeting held on 26.07.2023 wherein Authority decided that audit of project be got done from CA firm and notice in newspapers inviting objections from general public be published in newspapers. Public notice was published in newspapers on 25.08.2023. No objections were received in the Authority. M/s Sanjay Deep & Associates were appointed as an auditor on 29.08.2023 and vide letter dated



23.10.2023, M/s Sanjay Deep & Associates have submitted their report along with site photographs.

4. After examining the Audit Report dated 23.10.23, the Authority in its meeting on 04.12.2023 vide item no. 234.29 had decided that a copy of auditor report be sent to promoter. A show cause notice under Section-60 of RERA Act,2016 be issued to promoter as to why penalty may not be imposed for violating Section-4(2)(l)(d) of RERA Act,2016 as promoter is maintaining multiple RERA Accounts in different banks. (In compliance of the orders of the Authority, a suo motu complaint has been registered vide Complaint No. RERA-PKL-29-2024. and show cause notice dated 24.01.24 along with auditor's report has been sent to the promoter.)

5. On 31.01.2024, nobody was present on behalf of promoter. The Authority vide its Item No.240.20 dated 31.01.2024 had decided that promoter be personally present on the next date of hearing to explain as to why registration may not be revoked under Section-7(1) of RERA Act,2016 for violation of the provisions of the Act.

6. Vide Orders of the Authority dated 03.04.2024,the Authority observed: "*Banks are not following provisions of Section-4(2)(l)(d) of RERA Act,2016.Hence,Bank of Baroda and Union Bank of India be issued show cause notices under Section-35 of RERA Act,2016 to explain as to why provisions under Section- 4(2)(l)(d) of RERA Act,2016 are being violated by them*" (In compliance of the orders of the Authority dated 03.04.2024, show cause notice dated 08.05.2024 has been issued to the Bank of Baroda and Union Bank of India.)

7. It is pertinent to mention that the Complaint No. RERA-PKL-29-2024 was last heard on 15.05.2024 in which the Authority observed that the promoter has not complied with the provisions of the RERA Act, 2016. The Authority imposed a penalty of Rs. 10 Lacs under Section-60 of the Act for violating the provisions of Section-4(2)(l)(d) of the RERD Act,2016 and directed the promoter to deposit the said amount in the registry of Authority before the next date of hearing. Suo-motu was adjourned to 21.08.2024. Now it is listed for hearing on 25.09.2024.

8. On 15.05.2024, Authority observed that the promoter was required to be personally present but not nobody has appeared and no reply has been submitted. After consideration, Authority decided that further sale in the project is banned and Rs. Two Lacs cost is imposed





upon the promoter for not assisting and complying with the directions of the Authority. Promoter be personally present on the next date of hearing.

9. On 07.08.2024, representative of promoter, Sh. Arun Kumar appeared and informed that a reply has been submitted on 02.08.2024. Authority directed the Project Section to examine the reply and place it on 28.08.2024.

10. Vide Reply dated 02.08.2024, the promoter informed that on 15.05.2024, CA and Accountant of the Company with Company representative personally appeared before the Authority and produced their documents. Also, M/s Sanjay Deep & Associates were also directed to personally appear on 15.05.2024, but the Auditor did not appear that day. Promoter stated that the Company always respect the directions of the Authority and requested to discharge from said notice dated 23.05.2024 and grant extension at earliest as allottees are suffering due to non-funding from banks without RERA extension.

11. It is pertinent to state that –

i. Extension fee which deficit by Rs. 5,122/- is not deposited.

ii. QPRs are uploaded upto 30.06.2023.

iii. Penalty of Rs. 10 Lacs (Suo-Motu Complaint No. 29-2024) and cost of Rs. 2 Lacs imposed on 15.05.2024 (due to non-appearance of Promoter) has not been deposited.

12. The matter was heard by the Authority on 09.10.2024, wherein following was observed:

*“13. It is pertinent to state that -*

*i. QPRs are uploaded upto 30.06.2023.*

*ii. Penalty of Rs. 10 Lacs imposed in Suo-Motu Complaint No. 29-2024 as per Auditor's Report, (money received in Escrow Account is just 2.59%) and cost of Rs.2 Lacs imposed on 15.05.2024 (due to non-appearance of Promoter) has not been deposited.*

*iii. Extension fee calculated as per resolutions no. 261.34 dated 07.08.2024 is Rs. 5,46,091/-. Fee already paid is Rs. 3,07,000/-/ Promoter should deposit deficit fee of Rs. 2,39,091/-.*

*iv. The promoter has not submitted CA Certificate, Engineer Certificate and architect certificate. Photographs showing the present position at site have not been submitted.*

*14. On request of Ld. Counsel, Authority adjourned the matter to 23.10.2024.”*



13. The matter was heard by the Authority on 23.10.2024, wherein following was observed:

“6. Today, Adv. Tarun Ranga appeared on behalf of the respondent/promoter and raised objection on the report submitted by the Auditor and further requested that a joint meeting be conducted between the CA of the promoter and the Auditor appointed by the Authority, i.e. M/s Sanjay Deep and Associates to discuss the discrepancies in the Audit Report. After consideration, the Authority accepted the request and directs the office to conduct a separate meeting of Auditor M/s Sanjay Deep and Associates and CA of the promoter to discuss the discrepancies and further directs the Auditor and CA of the promoter to submit the proceedings of the meeting before the next date of hearing.

7. Adjourned to 15.01.2025.”

14. Vide letter dated 01.01.2025, the Auditor M/s Sanjay Deep and Associates has submitted an addendum to audit report and clarified that M/s VPN Real Estate Pvt. Ltd. has transferred 72.75% of money collected from allottees to Escrow account.

15. In view of above observations conveyed on 09.10.2024, no reply has been received till date and updated QPRs have not been filed (upto 30.06.2023).

16. Authority observes that promoter has not complied with the orders of Authority dated 09.10.2024.

17. After consideration, Authority decided that promoter should apply for further extension which has become due and comply with the orders of Authority dated 09.10.2024 before next date of hearing and pay the penalties imposed and only thereafter their request for grant of extension will be examined. Till then further sale in project shall remain banned.

18. Office is directed to examine the notices issued to banks vide orders of Authority dated 03.04.2024.

19. Adjourned to 26.03.2025.



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30/1/25

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.

GA (Tushar)

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