



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 26.03.2025.

Item No. 282.24

Expiration/lapse of project registration.

Promoter: Alpha Corp Development Private Limited.

Project: "Alpha International City" a Residential Plotted Colony on land admeasuring 9.74 acres situated at Sector 4, Fatehabad, Haryana.

Reg. No.: HRERA-PKL-FTB-62-2018 dated 23.10.2018 Valid upto 03.05.2018.

Temp ID: 731 of 2019

Present: Sh. Keshav Singh, Authorised representative on behalf of promoter.

1. In response to email dated 01.10.2023 regarding Lapse Registration, a letter dated 04.10.2023 was received in the Authority on 20.10.2023 in which the promoter had submitted the following:

- i. The email sent to the Promoter skipped the attention due to resignation of the person handling/reporting the mails and the newly appointed person could not report the matter to the legal/corporate department of the Company and therefore, Faux-Pas happened. The delay in filing the response was unintentional and due to this reason the Company got the knowledge about the expiration/lapse of existing registration on 03.10.2023 vide email from the Authority. It is prayed to condone the delay in the interest of justice.
- ii. The Company has got the License bearing no. 90 of 2008 dated 12.05.2008 granted for Residential Plotted Colony over an area of 51.744 acres falling in Village Basti Bhiwani, Sector 4, Fatehabad which has been renewed upto 11.05.2025.
- iii. The area of project in question admeasuring 9.74 acres which formed the part of the licensed area measuring 51.74 acres for developing a Residential Plotted Colony under the name of "Alpha International City" situated in Village Basti Bhiwan, Sector



4. Patchabad was registered vide Memo No. HRERA-424-2018 dated 25.10.2018 with registration number. HRERA-PKL-FTB-62-2018 dated 23.10.2018.

- iv Completion Certificate from the DTCP, Haryana dated 03.05.2018 for an area admeasuring 9.743 acres out of total licensed area measuring 51.744 acres was received by the Promoter due to which extension of registration was not further applied by the Promoter Company.
- v. The HRERA-PKL-FTB-62-2018 has become infructuous and does not need extension since the land measuring 9.74 acres has been granted Completion Certificate dated 03.05.2018 and License dated 12.05.2008 have been duly renewed upto 11.05.2025.
- vi. The Promoter requested to update in record the Completion Certificate dated 03.05.2018 and the renewed License dated 11.07.2023 and further stated that the registration No. HRERA-PKL-FTB-62-2018 be repudiated/replaced as the same does not require any further extension nor any quarterly report shall be filed as it has become obsolete /infructuous in nature.

2. Authority vide its order dated 06.11.2023 observed that promoter was granted Part Completion Certificate on 03.05.2018 by DTCP, Haryana and not Completion Certificate as is being claimed by the promoter. As per Section-3(2)(b) of RERA Act,2016, Completion Certificate is required. Hence the promoter was directed to be personally present on the next date of hearing.

3. Authority vide its order dated 07.02.2024 decided to ban further sale in the project as the registration of the project has lapsed. Promoter/one of Directors be personally present on the next date of hearing failing which Authority may initiate proceedings under Section-59 read with Section-63 of the RERA Act,2016.

4. Authority vide its order dated 10.04.2024 observed that promoter was required to be personally present. Nobody was present. Hence, Authority decided to impose a cost of Rs. 50,000/- on the promoter. Last Opportunity was granted to promoter to be personally present on next date of hearing i.e. 29.05.2024 failing which show cause under Section-35 read with Section-63 of RERA Act, 2016 will be issued.

5. Authority on 29.05.2024 decided that show cause notice under Section-35 read with Section-63 of RERA Act, 2016 be issued to promoter for not complying with the orders of the Authority. Managing Director/one of the Directors be personally present on next date of hearing and cost of Rs. 50,000/- be deposited.



6. Vide letter dated 29.05.2024, Sh. Neeraj Goyal informed that the Director was to appear personally on 29.05.2024 before the Authority but the Director could not attend the same as hearing was concluded early due to less number of cases and he was delayed in reaching the office due to hospitalisation of his toddler born to his sister and he had to stop riding while on the way from Faridabad. It was prayed that exemption be condoned for hearing on 29.05.2024 and he will be present on the next date of hearing. The exemption was condoned by the Hon'ble Chairman on 03.06.2024. Sh. Neeraj Goyal has undertaken that he will be present on the next date of hearing.

7. The Company Secretary was informed telephonically that the matter is listed for 04.09.2024. An email dated 30.08.2024 regarding the same was sent on the registered email address of Promoter and Company Secretary.

8. It is pertinent to state that QPRs have been uploaded upto 30.06.2023. Cost of Rs. 50,000/- imposed on 10.04.2024 has not been deposited.

9. On 04.09.2024, "Authority observes that Managing Director/one of the Directors was required to be personally present today but he has failed to remain present despite undertaking given by Mr. Neeraj Goyal, Company Secretary. Hence, Authority decided to impose an additional cost of Rs. One Lac on the Promoter.

Ld. Counsel Mr. Alok Jain submitted that earlier litigation was going in the project. Part Completion certificate was issued by DTCP Haryana on 03.05.2018 for 9.74 acres of land, hence, extension of project is not required. Authority observes that project consists of development of infrastructure, commercial area, and construction of institutional buildings. On completion of all three components, Completion Certificate is to be issued by concerned Authority.

Hon'ble Supreme Court of India in M/s Newtech Promoters and developers Pvt. Ltd. and state of Uttar Pradesh and others has held that all ongoing projects which have not been issued completion certificates are to be treated as ongoing projects and require registration. This implies that promoter has to do all the compliances till issue of completion certificate. Therefore, promoter should apply for extension and deposit the required extension fee."

It is pertinent to state that:

- i. Cost of Rs. 50,000/- imposed on 10.04.2024 has not been deposited.
- ii. Cost of Rs. 1,00,000/- imposed on 04.09.2024 has not been deposited.



- iii. Promoter has not applied for extension till date.
- iv. Total licensed area is 51.74 acres. Out of which 9.74 acres has been registered. Status of remaining area should be enquired from the promoter.

10. On 13.11.2024, as no reply was submitted by promoter, Authority granted last opportunity to promoter failing which penal action will be initiated as per provisions of RERA Act, 2016.

11. QPRs have been uploaded up to 30.06.2023. No Reply was received by the next date of hearing.

12. On 15.01.2025, Authorized representative sought some time to complete the formalities. After consideration, Authority directed the promoter to submit following information/ documents: -

- i. Deposit cost of Rs.50,000/- imposed on 10.04.2024.
- ii. Deposit cost of Rs. one lac imposed on 04.09.2024.
- iii. Apply for extension.
- iv. Status of colony be submitted as total licensed area was 51.74 acres out of which 9.74 acres has been registered.
- v. Upto date QPRs be uploaded.

13. No Reply has been received till date.

14. Today, Keshav Singh (Authorised Representative) on behalf of the promoter appeared and informed that an appeal has been filed in the Appellate Tribunal regarding the matter but he was not well versed with the facts. The Authority decided that another show cause notice under Section-35 read with Section-63 of RERA Act, 2016 be issued to promoter as to why penalty up to 5% of cost of project (i.e. Rs.60,42,850/-) may not be imposed for not complying with the orders of Authority.

15. Adjourned to 02.07.2025.

True copy




Executive Director,
HREERA, Panchkula

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

CA (Dhpau v)
25/04/25