



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 09.04.2025.

Item No. 284.07

Continuation of registration of project under Section 7(3) of RERA Act, 2016.

Promoter: Pivotal Infrastructure Private Limited.

Project: "Royal Heritage" a Group Housing Colony on land measuring 20.31 acres situated in Sector 70, Village Mujheri, Ballabhgarh, Faridabad, Haryana.

Reg. No.: HRERA-PKL-FBD-47-2018 dated 14.09.2018 valid upto 31.03.2019. First extension upto 31.12.2019. Continuation of Registration under Section-7(3) for second year granted upto 31.12.2020.

Temp ID: 636-2019.

1. Pivotal Infrastructure Private Limited vide letter dated 26.10.2023 has applied for extension of registration of the captioned project. M/s S.P. Chopra & Co. was appointed as auditor vide letter dated 15.02.2024 to conduct the audit of the project who submitted its report on 08.10.2024, submitting therein as under:

- i. Project was registered with HRERA from 14.09.2018, till then major collection were already made, no separate RERA Bank account was maintained by the company and the receipts/collection (total 519.06 crores) of the project were made in the existing bank accounts.
- ii. Provision of 4(2)(I)(D) are being followed and withdrawals are in proportion of the development works carried/undertaken at site.
- iii. Certificates by an engineer, an architect and a chartered accountant in practice that withdrawal is in proportion to the percentage of completion of project were not provided.
- iv. Main entrance was at Point B near Tower 2, which is not as per layout plan.
- v. Out of three schools planned for construction, only one has been completed. Further, primary school with plot area of 4255.14 sqm is located outside the premises boundary.
- vi. Proper safety measures were not maintained around the transformer at ESS 1 and ESS 2.



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2. As per orders, copy of audit report was sent to the promoter on 22.11.2024. The matter was considered by the Authority in its meeting held on 04.12.2024 wherein following was observed:

"9. After consideration, Authority decided that promoter should submit following information/documents before next date of hearing:

- i. Details of allottees containing name, address, apartment number etc as well as details of vacant flats/apartments.*
- ii. Submit Engineer and CA certificate.*
- iii. Deposit auditor fee of Rs.41,300/-.*
- iv. Late fee and penalty be conveyed to promoter.*
- v. Ban on sale to continue."*

3. The matter was adjourned to 29.01.2025.

4. The promoter has filed QPRs upto 30.06.2024. License No. 78 of 2009 was renewed upto 02.12.2024.

5. On 29.01.2025, *Learned Counsel and Director of Company submitted that OCs of all towers have been received and submitted on 24.01.2025. In the month of November 2024, an amount of Rs. 8.19 Lacs has been deposited.*

After consideration, Authority decided to grant extension for 2nd year under Section-7(3) of RERA Act, 2016. Promoter should also apply for extensions which have become due and deposit Rs. 10,000/- on account of publication of notice fee and Rs. 41,300/- as auditor fee before the next date of hearing. Status of renewal of license be also given. Office is directed to examine the replies submitted by the Promoter and put up before the Authority on next date of hearing. (Extension Certificate upto 31.12.2020 has been uploaded on web portal of the Authority)

6. Vide reply dated 22.01.2025– Cost of ₹1 Lac was deposited which was imposed on 09.10.2024). Vide another reply dated 24.01.2025, the promoter submitted CA Certificate, Engineer Certificate and List of existing allottees.

- i. C. A Certificate dated 21.01.2025 states the following:
Cost of Project – Rs. 528.99 Cr
Means of Finance – Rs. 528.99 Cr*
- ii. Architect Certificate dated 16.01.2025 which states date of inspection – 31.10.2019 and is incomplete.*

7. Vide Reply dated 27.01.2025, the Promoter submitted the following:

- i. Approval Letter of Service Plan Estimates dated 03.02.2017*
- ii. Approval of revised building plan dated 27.08.2012*



8. Vide letter dated 27.01.2025, Promoter has submitted the following comments on the report of the auditor:

i. As per layout, Main Entrance gate should be near ESS2 on 12 M wide service road, it is noted that at that designated location wall has been constructed and main entrance at Point B near Tower 2 (Sidhi) is not as per layout plan

Response - The said deficiency is on account of the fact that concerned authorities are yet to build/ construct the 24-meter-wide internal circulation road abutting the project. Promoter has on two occasions requested Director, Haryana Urban Local Bodies and MCF Commissioner that they be permitted to develop the same at their own expense. Promoter has also been constrained to request PSTCP and TCP Haryana to remove the encroachment done by Gram Panchayat and local residents.

ii. Out of three schools planned for construction, only one has been completed. Primary School with a plot area of 4255.14 Sqm is located outside the premises boundary.

Response- It is incorrect to state that the school is located outside premises boundary. The Authority has failed to appreciate that there is revenue rasta of about 11 feet/2 karam passing by licensed land, approved by DTCP. Primary School is built on both side abutting the revenue rasta and a boundary wall is constructed in each to maintain safety. Primary School is located within premises of the licensed area.

iii. At ESS 1, the transformer was not connected. Proper safety measures were not maintained around transformer at ESS1 and ESS2.

Response – At the time of audit, the promoter was in the process of carrying out respective compliances. As on date, connection is complete and fencing has been done to maintain safety. Photographs attached.

iv. As per layout plan, area at point X between Tower 20 (Anant), the parking area and the nursery school was not allocated for any specific facility. A garden has been constructed at that area.

Response- Promoter admits that Point X has not been allocated for any specific reason and as per layout plan it was supposed to be empty. On request of residents a small green patch has been built.

v. As per summary sheet, Flat No. Sidhi/2-11-1 has been sold to Mrs Veena Gupta which is used for personal purposes as sales office and Flat No. Sidhi/2-1102 has been sold to Aakanksh Jindal which is being used as sample flat.

Response - Both allottees were not immediately interested in taking possession. They had approached the Promoter to help them put on lease . They reached at a mutual understanding with the Developer that they would be provided incentive and enhancement



of internal facilities as and when they wish to take over the possession. The developer has no interest or claim over them.

10. In view of above, Promoter should submit the following :

- i. Status of Renewal of License.
- ii. Revalidated copy of Building Plans.
- iii. Response to Point 5.1 of Auditor's Report- Details of separate RERA bank Account.
- iv. Engineer Certificate showing progress of the project.
- v. Architect Certificate (Date of inspection- 31.10.19) is incomplete and Promoter should submit an updated certificate showing progress of the project.
- vi. C.A. Certificate is not in order.
- vii. Copy of approved Service Plan and Estimates.
- viii. Auditor fee of ₹ 41,000/- and Public Notice fee of ₹10,000/-
- ix. The Promoter should apply for further extension under Section- 7(3) of RERA Act, 2016.
- x. Extension fee, Late and Penalty as per resolution dated 07.08.2024 and 29.01.2025 after considering Occupation Certificate dated 30.11.2017 and 25.06.2018 (as it falls within the validity of Registration upto 31.12.2019) :
 - i. Late fee – ₹ 11,51,748/-
 - ii. Penalty – ₹26,49,002/-
 - iii. Extension fee paid – ₹8,90,020. Fee as per resolution dated 29.01.2025 – ₹ 5,75,873/-. Excess Extension fee – ₹ 3,14,147 /- which may be adjusted in late fee to be paid by the promoter.
- xi. Promoter should upload upto date QPRs.
- xii. Status related to the construction of schools in the project premises.

11. **Adjourned to 16.07.2025**

True copy




Executive Director,
HRERA, Panchkula

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


(A (Kakul))

