



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 24.01.2024.

Item No. 239.09

Request for phasing in the matter of registration of project.

Promoter: Skyhigh Infraland Pvt. Ltd.

Project: 'INR Heights' a Group Housing Colony on land measuring 5.20 Acres in Sector-32, Karnal.

TEMP ID: 1320-2023.

1. The promoter vide PUC dated 28.12.2023 has requested the Authority for phasing in the matter of registration of project namely "INR Heights" which was last considered by the Authority on 04.12.2023, the orders of the Authority were as follows:

"When this matter was last heard on 16.08.2023, the Authority had conveyed following deficiencies:

- i. Applicant promoter is seeking registration of land measuring 5.167 acres whereas license has been granted for land measuring 5.2 acres and zoning plan has been approved for land measuring 5.2 acres.*
- ii. Name of Director no.2 has been mentioned as 'Lndivar Bhardwaj' in REP-I Part-A whereas it should have been 'Indivar Bhardwaj'.*
- iii. Land utilization table (REP-I Part-C) should be correctly filled.*
- iv. Building plans were approved by DTCP, Haryana on 30.05.2013, however, the status of revalidation of building plans has not been submitted.*
- v. Copies of the approved building plans have not been submitted.*
- vi. Balance sheets for last three years have not been submitted.*
- vii. In REP-I (Part -C) it has been mentioned that there are total 338 plots/apartments in the project and 90 plots/apartments have been booked/sold upto the date of application whereas in REP-I (Part-CX) it has been mentioned that 107 flats/apartments have been booked/sold.*



viii. In REP-II, the applicant promoter has submitted that said land is encumbered with Allahabad bank and a loan amounting to ₹7 crores is outstanding, however total amount of loan availed by promoter has not been mentioned. Further, in REP-I (Part-CX), it has been mentioned by promoter that there is a total liability of ₹1050 lakhs against the project (details in folder C), however folder C is not annexed.

ix. It has been submitted by applicant promoter that it has taken over the project through Hon'ble NCLT, Chandigarh under Section 31 of Insolvency and Bankruptcy Code 2016. Copy of resolution plan dated 11.11.2019 along with addendum dated 17.01.2020 as approved by Committee of Creditors submitted before Hon'ble NCLT need to be placed on record.

x. The promoter has applied for change in beneficial interest of license no. 109 of 2011 dated 11.12.2011 and DCTP, Haryana vide its order dated 15.06.2023 has granted in principle approval for the same. Final approval of DTCP, Haryana for change in beneficial interest be submitted.

xi. Since, the applicant promoter has taken over the project in October 2021, delay in this case is of nearly 21 months, the late fee applicable shall be 2 times the original applicable fee. Accordingly, late fee of ₹6,40,554/- is payable by promoter applicant. The promoter shall pay the said late fee before the next date of hearing.

2. The promoter vide reply dated 29.11.2023 has complied with the observations mentioned at serial no. (ii) and (vi). Name of the director to be changed to Sh. Indivar Bhardwaj online. Remaining deficiencies should be complied by the promoter after submission of revised building plans.

3. The Authority directs the promoter to also submit the following:

a. CA Certificate for status of loan payment;

b. Highlight the clauses of resolution plan which permits the promoter to revise building plans and submit an Affidavit stating that the changes in the plan have been made as per the Resolution plan and the NCLT Orders;

c. If the above changes have not been made as per the orders then 2/3rd written consent be obtained while revising the Building Plans.

4. Adjourned to 29.01.2024 with direction to promoter to comply with the above said observations. In case promoter/applicant furnishes the aforesaid information before the next date of hearing, their application may be considered by the Authority in its meeting on Monday following the date of such submission."

2. The promoter submits that they have entered into the project through Hon'ble NCLT Court orders issued on 16.10.2021 and they have to give possession of Phase-1 Towers to the customers at the earliest. That the building plans / layout plans will remain unchanged for Tower no. P-1 to Tower no. P-14, almost 70% of the existing customer belongs to Phase-I and are waiting for the possession from almost last 12 years.

3. The promoter has submitted the following:

i. Copy of building plans/layout plans of the existing phase-1 area and phase-2;



- ii. Copy of e-voting its approval from NCLT;
 - iii. Copy of approved resolution plan;
 - iv. An affidavit pertaining to request for approval of revised building plan to DTCP Haryana and having consent of two third house buyers to revise the layout/building plans.
4. The promoter has requested the Authority to consider their current application as Phase-1 which will help them in implementing the NCLT orders dated 06.10.2021. As regards Phase II, they have applied for change in the planning and have applied for revision of building plans in which third party rights have not yet been created. The said revision application is under process with the DTCP office and the same shall be issued/ approved in next 2 months approx. The modifications in the building plans/layout plans were approved by 74.14% of the financial creditors in a class (home buyers) by, fulfilling the criterion of consent of two-third of the allottees (enclosed copy of e-voting and its approval from NCLT).
5. Authority observes that promoters be granted registration for Phase-I Tower P1 to P14 comprising of (13059 sq. mtrs.) for complying with the orders of Hon'ble NCLT and a corrigendum be issued after the promoter obtains the approval of Phase-II from the DTCP.
6. Adjourned to 13.03.2024.



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15/2/24.

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.

LA Monika