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Extract of the resolution passed by the Haryana Real Estate Regulatory Authority, Panchkula in its meeting held on 14.10.2026.

Item No. 335.46

Request for de-registration of project.

Promoter: **M/s BPTP Limited.**

Project: **"Park Arena"- a group housing colony on land measuring 10.63 acres (having an FAR of 75259.868 sqm) in Sector-80, Faridabad, Haryana.**

Reg. No.: **HRERA-PKL-FBD-260-2021 dated 02.09.2021 valid upto 31.08.2025.**

Temp ID: **RERA-PKL-870-2020.**

Present: **Adv. Rohan Gupta for the Complainant.**
Adv. Hemant Saini for the Promoter.

1. Vide letter dated 02.11.2023, promoter requested to de-register the project as the promoter is in the process of settlements and arrangements with the remaining 16 allottees. The promoter vide reply dated 30.09.2024 had submitted that the company has decided to withdraw the de-registration application. There are still 13 allottees left to be settled in the said project and now the company is desirous to settle the remaining allottees first for the best interest of all stakeholders. Request has been made to allow the withdrawal of the registration application.

2. On 04.12.2024, Authority further decided that a local commissioner be appointed to inspect the site and submit the status of development at site. Vide letter dated 03.02.2025, M/s Pro-tech Consortium has submitted the report regarding physical status of the project along with photographs of the project which was placed before the Authority on 09.04.2025. Local Commissioner revealed that physical development was severely stalled, with only partial RCC frames, no finishing work, and zero construction on designated towers.

3. On 09.04.2025, the promoter confirmed the report's accuracy, argued that extension under Sections 6 & 7 would be futile, and asserted that RERA holds the power to de-register.

4. On 16.07.2025, Authority observed that there is no provision in Act 2016 & Rules of 2017 for de-registration, thus, Authority cannot allow deregistration of project. Further, the promoter is directed to be personally present on the next date of hearing and inform about the status of settlement with the remaining allottees.

5. On 29.10.2025, Adv. Hemant Saini appeared on behalf of the promoter and informed that four allottees are left for settlement. After consideration, the Authority imposed a cost of ₹1 Lac for non-appearance of the Managing Director/Director of the company. The Managing Director/Director was also directed to appear in person with all the information on the next date of hearing.

6. On 10.12.2025, Adv. Hemant Saini appeared on behalf of the promoter and submitted that the Managing Director/Director could not appear due to illness. He requested that the matter be adjourned. After considering the submission made by learned counsel and the reason furnished for non-appearance, the Authority decides to grant one last opportunity to the Managing Director/Director to appear in person.

7. On 25.03.2026, Advocate Hemant Saini requested to adjourn the matter as due to personal reasons he is unable to attend the hearing. Acceding to the request of the counsel, the Authority decided to adjourn the matter and directs that the cost of ₹1 Lac for nonappearance of the Managing Director/Director of the company imposed on 29.10.2025 be paid before the next date of hearing. Receipt of Local Commissioner fee paid by the promoter be also submitted. Managing Director/Director is again directed to appear in person on the next date of hearing.

8. A letter was received in the Authority on 21.04.2026 from one of the allottees namely of the said project (Unit b-G03 on Ground Floor in Tower B) having a super area measuring 1150 Sq. ft. which was allotted to her father Sh. Muktesh Verma Proprietor M/s Bhagwati Carriers on 16.11.2010. The Promoter had already received an amount of ₹ 33,16,575.13/- out of total sale consideration of ₹ 36,09,425/- against the aforementioned allotted unit long time back. Only the last instalment of 7.5 % is left to be paid to the Promoter. It is requested that the Promoter be directed to deliver unit to the allottee at no additional costs at the earliest as already more than 16 years have lapsed since the date of allotment. It is requested that the Promoter be asked to develop and complete the project and the project be not de-registered under any circumstances till such time the allottee is handed over a unit of same size in the current project or any other project in the same sector to his satisfaction.

9. Vide letter dated 29.05.2026, the promoter has informed that the promoter has refunded/ settled the claims of all allottees of the project. The promoter now intends to seek

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revision of the building plans of the project. Upon obtaining final approval of the revised building plan, the promoter shall apply for fresh registration of the project. Until fresh registration is obtained, the promoter shall not advertise, market, book, sell, offer for sale or inventory person to purchase any unit. In the project it is submitted that although the RERD Act and Rules do not expressly provide for de-registration, several RERA Authorities like Maha RERA, UP RERA, K- RERA have issued guidelines, procedural orders and regulation permitting promoter to seek voluntary de- registration or withdrawal of registration.

10. The promoter requested the Authority may be pleased to pass de-registration orders or an order where Authority permits to apply for fresh registration after getting approval of revised building plan and also provide exemption under section (6) and section 7(3) of RERA Act, 2016. Promoter also submitted demand draft of ₹1 Lac as proof of payment for the non-appearance of the Managing Director.

11. On 22.07.2026, the Authority directed the office to send a copy of the complaint filed by the allottee to the Promoter. The Promoter should reply to the said complaint one week before the next date of hearing and also submit receipt of the fee paid to the Local Commissioner.

12. Copy of Complaint dated 21.04.2026 was sent via email to the promoter on 12.08.2026. However, the promoter has not submitted any reply till date.

13. On 26.08.2026, acceding to the request of learned counsel Adv. Hemant Saini, the Authority decided to adjourn the matter to 14.10.2026 with a direction to submit reply to the complaint before the next date of hearing and send the same to Adv. Rohan Gupta, learned counsel for Complainant/Allottee. Since, directions of the Authority regarding Local Commissioner has not been complied, since, 25.03.2026, a period of 155 days has lapsed, the promoter is directed to show cause as to why penalty U/s 63 of RERD Act, 2016 be not imposed. Promoter is directed to deposit Local Commissioner fee amounting ₹ 41,300/- and submit receipt of the same.

14. Upon re-examination of replies filed by the promoter, it is found that bank statement copy has been submitted by the promoter vide reply dated 29.05.2026, wherein ₹ 41,300/- had been paid by the promoter on 07.04.2025.

15. Vide reply dated 29.09.2026, the promoter has filed a comprehensive reply in response to the complaint dated April 21, 2026 which is as follows:

1. Preliminary Objections on Authorization, Legal Capacity, and Representation

The promoter raises strict procedural objections regarding how the complaint was filed and who represents the allottee. First, while acknowledging that Unit No. B-03 (Ground Floor, Tower B) was originally allotted to Late Sh. Muktesh Verma on

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November 16, 2010, and subsequently transmitted to his minor daughter, Ms. Arshita Verma, through a Family Settlement Deed dated April 23, 2014 (duly recorded in court orders on August 06, 2014, with her mother Smt. Ekta Verma as natural guardian), the promoter points out that the present complaint was instituted by an individual named Ajay. The promoter contends that Ajay's name does not appear anywhere in the official property records, no power of attorney or document establishing his legal capacity or status as next friend/guardian has been placed on record, and thus his locus standi to file the complaint is explicitly challenged. Furthermore, the promoter notes that although an advocate appeared for the complainant during the proceedings on July 22, 2026, no *Vakalatnama* or formal letter of authority has been submitted, rendering the legal representation procedurally defective until cured.

2. Legal Objection Against Single-Allottee Veto

The promoter asserts that an objection raised by a single remaining allottee cannot act as an absolute veto or indefinitely block the consideration of the promoter's application to de-register or surrender project registration. It is submitted that the project has not been marketed, advertised, or sold to any party since the years 2012–13, and not a single unit has been sold following its registration under RERA. The promoter argues that keeping the registration active merely to resolve an isolated dispute serves no useful purpose, particularly when all other allottees have already been settled.

3. Factual Background and History of RERA Registration

In its preliminary submissions, the promoter outlines the pre-RERA origins of the project, which was launched in 2010. It is highlighted that the promoter never engaged in fresh commercial sales or marketing under RERA, but instead sought project registration pursuant to the Authority's directive dated October 19, 2020, which classified it as an "Ongoing Project" due to pending settlements with legacy buyers. Registration was thus obtained solely for regulatory compliance while the promoter actively worked toward executing settlements, refunds, and alternative arrangements for existing buyers, rather than developing the site for fresh sales.

4. Reply on Merits and Refund Claim

Addressing the specific merits of the complaint, the promoter disputes the allottee's demand for physical possession of the unit. The promoter submits that against the total payment of ₹33,16,164/- received for Unit B-G 03, the company has already issued a total refund of **₹83,81,164/-** (inclusive of interest calculated at SBI MCLR + 2%) to the concerned allottee via cheques, attaching the supporting documentary evidence. The promoter maintains that if the complainant asserts any additional or surviving substantive claim, the statutory remedy lies in filing a separate formal complaint under Section 31 of the RERA Act, 2016, rather than using de-registration proceedings as an adjudicatory forum for monetary or contractual disputes.

5. Regulatory Precedents and Final Relief Sought

The promoter reiterates its reliance on regulatory frameworks established by other State RERA Authorities—specifically citing **MahaRERA Order No. 42/2023** (dated February 10, 2023) and **UP RERA Regulation 51** (amended via notification dated July 23, 2025, and Office Order dated February 29, 2024)—which explicitly permit voluntary de-registration or withdrawal of projects where completion becomes unviable due to financial, legal, or planning constraints. In conclusion, the promoter prays that the Authority dismiss the complaint for lack of merit and procedural maintainability, grant the application for de-registration, or alternatively

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permit the promoter to apply for fresh RERA registration after obtaining approval for revised building plans from the DTCP, Haryana

16. Vide reply dated 13.10.2026, the promoter has submitted proof of payment of Rs.41,300/- towards Local Commissioner fee and informed that the same has been submitted alongwith reply dated 29.05.2026. The Promoter requested to take the same on record . The same is being taken on record.

17. Today, the Adv. Hemant Saini raised multiple preliminary legal objections regarding the maintainability of the complaint, setting out preliminary factual submissions, detailing a specific reply on merits, and reiterated its request for project de-registration or fresh registration as stated vide its reply dated 29.09.2026. Learned Counsel for the complainant requested for copy of reply dated 29.09.2026.

The Authority directs the promoter to supply copy of reply dated 29.09.2026 to the complainant and directs the complainant to submit its reply strictly based on "deregistration" issue atleast one week before the next date of hearing

18. Adjourned to **09.12.2026.**

True copy

Haryana Real Estate Regulatory Authority * PANCHKULA * Despatch No 3046 Date 4/11/26

Secretary (Acting),
HRERA, Panchkula

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

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