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 14.10.2026.

Item No. 335.54

Representation-Cum-Complaint.

Promoter: **BPTP Ltd.**

Project: **Sky Nest Towers" situated in Sector-80, Faridabad vide Registration No. HRERA-PKL-FBD-881-2026 Dated: 09.04.2026. Valid upto 31.03.2033.**

"Discovery Park" - a Group Housing Colony over an area measuring 10.74 acres (Towers No. A, B, F, G, H, J, K, L, M and EWS) situated in Sector-80, Faridabad. Reg. No.: 297 of 2017 dated 16.10.2017 valid upto 12.10.2020. First Extension granted upto 12.10.2021. Extension (for nine months) due to COVID- 19 upto 12.07.2022. Extension under Section-7(3) granted upto 12.07.2023.

1. The present proceedings arise out of a representation-cum-complaint dated 13.05.2026 filed by certain allottees of the real estate project namely "Discovery Park", situated in Sector-80, Faridabad, registered with this Authority vide Registration No. RERA-PKL-297-2017, developed by BPTP Limited under License No. 44 of 2008 dated 07.03.2008, granted by the Directorate of Town and Country Planning, Haryana (hereinafter referred to as "DTCP") for development of a group housing colony over an area measuring 16.331 acres.

2. The complainants have alleged that the promoter initially marketed and sold the project as a single integrated group housing colony comprising 12 residential towers, two EWS towers, one nursery school, one primary school, a convenient shopping complex and a community building/clubhouse. However, according to the complainants, the promoter has constructed only nine residential towers and two EWS towers and has failed to develop the remaining facilities, including the schools and shopping complex, as originally represented to the allottees.

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3. The complainants have further alleged that the promoter, without obtaining the requisite consent of two-thirds of the allottees, got the building plans revised on 05.03.2026 and carved out a separate project over a portion of the original licensed land measuring approximately 5.391 acres, under the name and style of "Skynest Towers". It is alleged that the said project comprises two additional residential towers and certain independent components, including a primary school and convenient shopping.

4. It is the case of the complainants that the promoter has unlawfully reduced the area of Discovery Park from 16.331 acres to 10.74 acres, thereby depriving the existing allottees of the promised amenities and common facilities. They have also questioned the separate registration of Skynest Towers and alleged concealment of material facts before the Authority.

5. The complainants have accordingly prayed for initiation of suo motu proceedings against the promoter, cancellation/suspension of the registration of Skynest Towers bearing Registration No. HRERA-PKL-FBD-881-2026 dated 09.04.2026, restraint on advertisement, booking, sale and construction in the said project, setting aside of the revised building plans dated 05.03.2026 and directions to the promoter to complete the development in accordance with the original building plans and representations made to the allottees.

6. Subsequently, another representation-cum-complaint dated 28.09.2026 was filed by Adv. Yashvir Balhara on behalf of Sh. Devender Kumar and Ms. Dolly Mangla, who are stated to have booked commercial units bearing Nos. S-01 and S-02 in the convenient shopping complex of Discovery Park. The said complainants have raised substantially similar allegations and sought similar interim relief. However, vide letter dated 14.10.2026, the promoter informed that vide email dated 13.10.2026, the Sh. Devender Kumar and Ms. Dolly Mangla, had withdrawn the said complaint to their full satisfaction. Copy of relevant email confirming the withdrawal is enclosed for perusal and record of the Authority. The same is being taken on record.

7. The matter was taken up by the Authority on 29.07.2026, when the office was directed to forward a copy of the complaint to the promoter through email at its registered address and the promoter was directed to submit its reply at least one week before the next date of hearing.

8. In compliance thereof, a copy of the complaint was forwarded to the promoter vide email dated 06.08.2026. However, no reply was received at that stage.

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9. The complainants, vide their application dated 12.08.2026, also sought interim directions restraining the promoter from advertising, booking, selling and carrying out construction in Skynest Towers till the disposal of the complaint dated 13.05.2026.

10. On 16.09.2026, learned counsel for the promoter submitted that the reply to the complaint would be filed during the course of the day. Accordingly, the Authority directed the promoter to supply a copy of its reply to the complainants and the complainants to supply a copy of their stay application to the promoter. The office was further directed to examine the reply and place the matter before the Authority on the next date of hearing.

11. The promoter thereafter filed its detailed para-wise reply dated 16.09.2026, denying the allegations made by the complainants. Following has been submitted by the promoter:

i. The promoter has submitted that License No. 44 of 2008 presently stands in the name of BPTP Limited pursuant to the order dated 20.09.2025 passed by the Hon'ble National Company Law Tribunal and the consequential order dated 20.02.2025 passed by DTCP, Haryana.

ii. The promoter has contended that the entire licensed area measuring 16.331 acres has been phased in accordance with the DTCP Phasing Policy dated 24.04.2023 and that Discovery Park has been identified as a completed phase by the competent authority.

iii. It is further submitted that the proposed two residential towers have been identified as Phase-I and the earlier sanctioned Towers C, D and E were never launched by the promoter and no third-party rights were created in respect thereof. The promoter has also stated that the primary school, nursery school and convenient shopping have been identified as independent components under the approved phasing framework.

iv. The promoter has specifically relied upon Clause 4.1.1 of the DTCP Phasing Policy dated 24.04.2023 and contended that the requirement of obtaining consent of two-thirds of the allottees is confined to the phase in which the revision is proposed. Since no revision has been carried out in the completed phase of Discovery Park, the promoter submits that no consent of the allottees of Discovery Park was required.

v. With regard to the allegation of filing false quarterly progress reports and affidavits, the promoter has submitted that an Occupation Certificate has already been obtained for Discovery Park and that the approved phasing plan also identifies the said phase as completed.

vi. The promoter has further submitted that the revised building plans were approved by DTCP on 05.03.2026 and that the separate RERA registration for Skynest Towers was obtained after duly disclosing the status of the entire licensed land measuring 16.331 acres before this Authority. In this regard, reliance has been placed upon the deficiency notice dated 12.03.2026 and the clarification submitted by the promoter in response thereto.

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vii. Regarding the development of the clubhouse, the promoter has submitted that the clubhouse has already been completed and the Occupation Certificate in respect thereof has been obtained. It has further submitted that the primary school and convenient shopping are identified as independent phases and are not part of the completed phase of Discovery Park.

viii. With regard to the earlier RERA registration of Discovery Park, the promoter has submitted that its application seeking extension of registration for the period from 12.07.2024 to 12.07.2027 is pending consideration before the Authority and that the status of Towers C, D and E has already been furnished in compliance with the directions contained in the order dated 08.05.2024.

ix. On the aforesaid grounds, the promoter has prayed for dismissal of both complaint.

12. From the material placed on record and the particulars available in the office records, the following factual position emerges:

i. License No. 44 of 2008 dated 07.03.2008 was granted by DTCP, Haryana for development of a group housing colony over an area measuring 16.331 acres in Sector-80, Faridabad.

ii. The original building plans approved by DTCP provided for residential Towers A, B, C, D, E, F, G, H, I, J, K, L and M, EWS accommodation, community building and convenient shopping centre.

iii. On 16.10.2017, this Authority granted RERA registration bearing No. 297 of 2017 for an area measuring 10.74 acres comprising Towers A, B, F, G, H, J, K, L and M along with EWS components, under the name "Discovery Park".

ii. Subsequently, the phasing plan of the licensed colony was approved by DTCP on 06.11.2023, wherein the development was categorised into different phases, including the completed/registered phase, Phase-I, EWS component, independent community site comprising primary and nursery schools and independent convenient shopping.

iii. The building plans were subsequently revised by DTCP vide approval dated 05.03.2026. Under the revised plan, Towers A, B, F, G, H, I, J, K, L and M form part of the completed/registered phase, while Towers 1 and 2 have been identified as Phase-I. The community building and convenient shopping centre have also been identified separately under the approved phasing arrangement.

iv. In March 2026, the promoter submitted an application seeking registration of Phase-I, comprising Towers 1 and 2 along with the primary school and convenient shopping components.

v. This Authority granted registration to the said project under the name "Skynest Towers" vide Registration No. HRERA-PKL-FBD-881-2026 dated 09.04.2026, valid up to 31.03.2033.

13. It is an admitted position that the original License No. 44 of 2008 covers a total area of 16.331 acres and that the registration granted to Discovery Park on 16.10.2017 pertains to an area of 10.74 acres.

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14. Section 3 of the Real Estate (Regulation & Development) Act, 2016(hereinafter referred as RERD Act, 2016) is reproduced hereinbelow for reference:

> "3. Prior registration of real estate project with Real Estate Regulatory Authority
> *(1)No promoter shall advertise, market, book, sell or offer for sale, or invite persons to purchase in any manner any plot, apartment or building, as the case may be, in any real estate project or part of it, in any planning area, without registering the real estate project with the Real Estate Regulatory Authority established under this Act:*
> *Provided that projects that are ongoing on the date of commencement of this Act and for which the completion certificate has not been issued, the promoter shall make an application to the Authority for registration of the said project within a period of three months from the date of commencement of this Act:*
> *Provided further that if the Authority thinks necessary, in the interest of allottees, for projects which are developed beyond the planning area but with the requisite permission of the local authority, it may, by order, direct the promoter of such project to register with the Authority, and the provisions of this Act or the rules and regulations made thereunder, shall apply to such projects from that stage of registration.*
> *(2)Notwithstanding anything contained in sub-section (1), no registration of the real estate project shall be required--(a)where the area of land proposed to be developed does not exceed five hundred square meters or the number of apartments proposed to be developed does not exceed eight inclusive of all phases:*
> *Provided that, if the appropriate Government considers it necessary, it may, reduce the threshold below five hundred square meters or eight apartments, as the case may be, inclusive of all phases, for exemption from registration under this Act;*
> *(b)where the promoter has received completion certificate for a real estate project prior to commencement of this Act;*
> *(c)for the purpose of renovation or repair or re-development which does not involve marketing, advertising selling or new allotment of any apartment, plot or building, as the case may be, under the real estate project.*
> *Explanation: For the purpose of this section, where the real estate project is to be developed in phases, every such phase shall be considered a stand-alone real estate project, and the promoter shall obtain registration under this Act for each phase separately."*

15. In view of above, Section-3 mandates prior registration of every real estate project or part thereof before undertaking advertisement, marketing, booking or sale. The Explanation to Section 3(1) specifically provides that where a real estate project is to be developed in phases, every such phase shall be considered a standalone real estate project and the promoter shall obtain registration for each phase separately. Thus, the statutory scheme of the RERA Act itself recognises phased development of a real estate project and does not prohibit a promoter from seeking separate registration for different phases of a licensed colony, subject to compliance with the applicable planning permissions and the provisions of the Act.The DTCP Phasing Policy dated 24.04.2023 also provides a framework for development of licensed colonies in phases. The said policy, inter alia, provides for identification of different

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phases and regulates the requirement of obtaining consent of allottees in cases involving revision of layout/building plans.In the present case, the phasing plan of the colony was approved by DTCP on 06.11.2023. Thereafter, the promoter applied for registration of the proposed Phase-I comprising Towers 1 and 2 and the associated independent components. This Authority granted registration to Skynest Towers on 09.04.2026.

16. After considering the allegations raised by the complainants, the para-wise reply filed by the promoter, the official record of both the projects and the applicable provisions of the Real Estate (Regulation and Development) Act, 2016, read with the DTCP Phasing Policy dated 24.04.2023, the Authority proceeds to decide the prayers as follows:

Prayer No. (i)

To initiate suo motu proceedings against the promoter and/or take appropriate action for the alleged violations.

The Authority observes that the present representation has already been taken on record and the promoter has been afforded an opportunity to submit its reply. The allegations concerning the phasing of the licensed colony, separate registration of Skynest Towers, revision of building plans and alleged deprivation of amenities have been examined in the present proceedings.

It is further observed that Section 35 of the RERA Act, 2016 empowers the Authority to call upon any promoter or other person to furnish information or explanation and to conduct an inquiry in respect of matters falling within its jurisdiction. The Authority also has powers under Section 37 to issue appropriate directions for carrying out its functions under the Act.

Accordingly, the prayer for initiation of suo motu proceedings is treated as having been substantially addressed through the present proceedings. However, the Authority makes it clear that the promoter shall remain liable for any violation of the Act or the conditions of registration established on the basis of subsequent scrutiny or verification.

Prayer No. (ii)

To cancel/suspend/revoke the registration of Skynest Towers bearing Registration No. HRERA-PKL-FBD-881-2026 dated 09.04.2026 and restrain the promoter from taking future bookings or raising construction in the said project.

The Authority observes that Skynest Towers has been registered vide Registration No. HRERA-PKL-FBD-881-2026 dated 09.04.2026 for development of Phase-I, comprising Towers 1 and 2, along with the identified independent components, pursuant to the approved phasing plan and revised building plans.

Section 3 of the RERA Act, 2016 expressly recognises phased development and provides that every phase of a real estate project shall be treated as a standalone project requiring separate registration.

Further, Clause 4.1.1 of the DTCP Phasing Policy dated 24.04.2023 provides that, in cases where a colony is proposed to be developed in phases, the requirement of obtaining consent of two-thirds of the allottees for revision of layout/building plans shall be limited to the phase in which such revision is proposed.

The complainants have not established through any specific comparative technical material that the revised building plans dated 05.03.2026 have altered the sanctioned

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layout, common areas or facilities of the registered phase of Discovery Park so as to establish a violation of Section 14(2)(ii) of the Act.

Moreover, revocation of registration is governed by Section 7 of the Act, which requires the Authority to record satisfaction regarding the statutory grounds for revocation and to provide the promoter an opportunity of hearing after issuance of the prescribed notice. In the present case, the material available does not establish any such ground warranting revocation of the registration of Skynest Towers. However, the promoter shall not, under the garb of separate phase registration, alter, encroach upon or adversely affect any common area, infrastructure or amenity forming part of the sanctioned and registered phase of Discovery Park.

Accordingly, no blanket restraint on advertisement, booking, sale or construction in Skynest Towers is warranted.

Prayer No. (iii)

To call for all the records relating to Discovery Park and Skynest Towers.

The Authority observes that the records relating to both projects, including the original licence, RERA registration of Discovery Park, approved phasing plan, revised building plans and registration of Skynest Towers, are available in the official records of the Authority to the extent submitted in the respective proceedings. The Authority has considered the material available on record while deciding the present representation.

Prayer No. (iv)

To declare the revised building plans approved by DTCP vide Memo No. ZP-416-III/AD(VK)/2026/7809 dated 05.03.2026 as null and void.

The Authority observes that the revised building plans dated 05.03.2026 have been approved by DTCP, Haryana, which is the competent planning authority under the applicable urban development laws.

The present proceedings are under the RERA Act, 2016. Although Section 14 of the Act empowers this Authority to examine whether the promoter has adhered to the sanctioned plans and whether any alteration has been carried out in violation of the statutory requirement of obtaining consent of two-thirds of the allottees, the Authority cannot, in the present proceedings, substitute itself for the competent planning authority or exercise powers of judicial review over an administrative approval of DTCP.

Accordingly, the prayer seeking a declaration that the revised building plans approved by DTCP are null and void cannot be granted in the present proceedings. The complainants shall, however, remain at liberty to avail appropriate remedies before the competent forum against the approval granted by DTCP, in accordance with law.

It is declined, without prejudice to the rights of the complainants to challenge the DTCP approval before the competent forum.

Prayer No. (v)

To direct the promoter to adhere to the original building plans and construct 12 residential towers, two schools and a shopping complex as promised to the allottees.

The Authority has considered this prayer in the light of Sections 11(4)(a) and 14(1) of the RERA Act, 2016.

Section 11(4)(a) makes the promoter responsible for all obligations, responsibilities and functions under the Act, rules and regulations made thereunder and the agreement for sale executed with the allottees.

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Section 14(1) requires the promoter to develop and complete the project in accordance with the sanctioned plans, layout plans and specifications approved by the competent authority.

The Authority observes that the original sanctioned building plans and the builder-buyer agreements constitute relevant documents for determining the rights and obligations of the parties. The promoter cannot unilaterally withdraw or alter any facility or amenity specifically promised to the allottees or forming part of the sanctioned plans applicable to their project.

At the same time, the original plans have subsequently been revised by the competent planning authority and the colony has been phased in accordance with the DTCP Phasing Policy dated 24.04.2023. Therefore, a direction for construction of all 12 towers strictly in accordance with the original building plans, without examining the subsequent approvals and the rights created in the respective phases, would not be appropriate.

The Authority further observes that the promoter has stated that the clubhouse has already been completed and that the primary school, nursery school and convenient shopping have been identified as independent components under the approved phasing plan.

However, the mere identification of these components as independent phases cannot extinguish any existing contractual or statutory entitlement of the allottees.

Accordingly, the promoter is directed to:

a. Honour the commitments regarding common amenities and facilities expressly forming part of the builder-buyer agreements and sanctioned plans applicable to the allottees of Discovery Park.

b. Ensure that the primary school, nursery school and convenient shopping components are developed in accordance with the approvals granted by the competent authority and the obligations undertaken towards the allottees, wherever such obligations exist.

c. Not alter, relocate, reduce or appropriate any common area, facility or amenity of Discovery Park to the prejudice of the existing allottees without following the procedure prescribed under Section 14(2)(ii) of the Act, wherever applicable.

d. Ensure that the development of Skynest Towers does not adversely affect the existing infrastructure, access, services or common facilities of Discovery Park.

e. Furnish the status of development of the independent phases and the proposed timeline for completion of the facilities forming part of the promoter's obligations.

Prayer No. (vi)

To initiate penal proceedings against the promoter for cheating, defrauding the allottees and violating the provisions of the Haryana Urban Development laws and the RERA Act, 2016.

The Authority observes that the allegations of cheating, fraud and deliberate misrepresentation are serious in nature and require specific supporting material.

The material placed on record in the present proceedings does not sufficiently establish that the promoter obtained registration of Skynest Towers through deliberate concealment of material facts or that it knowingly furnished false information to the Authority.

Further, the Authority has not found sufficient material at this stage to conclude that the promoter has committed a violation warranting penal proceedings under the RERA Act, 2016.

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However, the promoter is reminded that any violation of the provisions of the Act, including Sections 3, 4, 11 and 14, shall attract the consequences prescribed under the relevant provisions of the Act, including Sections 59, 60 and 61, wherever applicable. The question of any penalty or other statutory action shall remain open in the event of any specific violation being established after following the procedure prescribed under the Act.

As regards alleged violations of the Haryana Development and Regulation of Urban Areas Act, 1975, and the conditions of licence, the complainants shall be at liberty to approach the competent authority under the said legislation.

17. In view of the findings recorded hereinabove, the Authority passes the following order:

i. The representation-cum-complaint dated 13.05.2026 and the subsequent representation dated 28.09.2026 are disposed of in the above terms.
ii. The prayer for cancellation/revocation of RERA Registration No. HRERA-PKL-FBD-881-2026 dated 09.04.2026 granted to Skynest Towers is declined.
iii. The prayer for a blanket restraint on advertisement, booking, sale and construction in Skynest Towers is also declined.
iv. The promoter is directed to protect and preserve the existing rights of the allottees of Discovery Park in respect of common areas, amenities, infrastructure and facilities in accordance with their respective agreements for sale and the sanctioned plans.
v. Both representations stand **disposed of** accordingly.

Haryana Real Estate Regulatory Authority PANCHKULA
Despatch No. 3054
Date 4/11/26

True copy

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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