



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 21.11.2023.

Item No. 233.22

No action be taken on any application/request of Keerat Developers and Promoters without presence of all partners.

Promoter: Keerat Developers and Promoters.

Project : "Keerat Homes" - Residential Plotted Colony on land measuring 5.175 Acres in Sector-15, Fatehabad.

Reg. No: HRERA-PKL-RWR-305-2022 dated 01.06.2022 valid upto 31.03.2023.

1. Sh. Charan Dass (one of the partners of Keerat Developers and Promoters) vide letter dated 11.09.2023 has stated as under:

- i. That applicant along with two other persons- Sh. Sudhir Kumar and Sh. Nishant Nagpal entered into a partnership agreement dated 10.09.2020 to develop a project namely 'Keerat Homes' Affordable Residential Plotted Colony under DDJAY-2016 on land measuring 5.175 acres in sector-15, Fatehabad which is registered with the Authority vide registration no. HRERA-PKL-RWR-305-2022 dated 01.06.2022 valid up to 31.03.2023.
- ii. That Sh. Sudhir Kumar and Sh. Nishant Nagpal took signatures of the applicant on some blank and some printed papers with the assurance that they will not be used without his prior consent and will never misuse these papers.
- iii. That the applicant has come to know that Sh. Sudhir Kumar and Sh. Nishant Nagpal has fraudulently transferred the unsecured amount (taken in the name of the firm) to the accounts of their relatives for their personal use without the knowledge and consent of the applicant.



- iv. That Sh. Sudhir Kumar and Sh. Nishant Nagpal have already booked and allotted the plots to the allottees and are giving possession of the plots to them without the consent of the applicant and are even misusing the papers signed by the applicant. A complaint in this regard is pending before Revenue Court, Fatehabad.
 - v. That Sh. Nishnat Nagpal has mortgaged 9 plots of the firm without the signatures of other partners on the basis of resolution passed by board of meeting dated 18.05.2023 whereas no such meeting was held and moreover there is no question of board meeting as the applicant and Sh. Sudhir Kumar and Sh. Nishant Nagpal have a partnership firm.
 - vi. Request has been made that the applicant and Sh. Sudhir Kumar and Sh. Nishant Nagpal have equal partnership rights in the firm, so no action may be taken on any application/request of Keerat Developers and Promoters without the personal presence of all the three partners.
2. The authority in its its meeting held on 19.09.2023 vide item no. 227.26 observed that M/s Keerat Developers and Promoters is a partnership firm. The dispute is inter-se the partners of the firm, for which civil court remedy is available. Hence, no action is required by Authority.
 3. At the time of registration, one of the conditions was that no hindrance and disability shall be allowed to occur in the way of the allottees in the event of any dispute between the partners. The Authority retains the power to issue any appropriate orders for protecting interests of the allottees.
 4. It was decided that Reg. No. HRERA-PKL-RWR-305-2022 dated 01.06.2022 was valid up to 31.03.2023. Therefore, a suo-motu complaint be registered against the promoter by project section for not applying extension of project. The matter was adjourned to 20.11.2023.
 5. In compliance of the last order of the Authority, a suo-motu notice has been issued on 10.10.2023 having complaint number RERA-PKL-2329-2023. No reply has been received from the promoter upto now.

Authority observes that as per condition of registration certificate, no hindrance and disability shall be allowed to occur in the way of allottees in the event of any dispute between



partners. Hence, Authority decided that complainant Sh. Charan Dass be personally present on next date of hearing.

6. Adjourned to 22.01.2024.

7. In case promoter/applicant furnishes the information before next date of hearing, their application may be considered in its Authority meeting on Monday following the date of such submission.



all set
5/12/23

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.

CA (Kataria)