



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 20.03.2024.

Item No. 246.37

Continuation of registration of project for 4th year under Section-7(3) of RERD Act, 2016.

Promoter: Ansal Landmark (Karnal) Township Pvt. Ltd.

Project: "Sushant City, Sector-36 Karnal" a residential plotted colony on land measuring 57.654 acres situated in Sector 36, Karnal, Haryana.

Reg. No.: 134 of 2017 dated 28.08.2017 valid upto 30.09.2019.

Present: Mr. Amit Malhotra, Mr. Jyoti Sidana and Mr. Hitesh Sahni, Complainant.

1. This matter was placed before the Authority in its meeting held on 26.07.2023 vide item no. 220.10 whereby Authority had directed the promoter to submit CA Certificate, Engineering Certificate and Architect Certificate along with photos of the project.
2. Applicant promoter vide letter dated 05.09.2023 has submitted that they have got approval for service estimates from DTCP on 28.12.2022 and have completed most of the services which includes storm water, sewage, water supply and drainage line, however, they have to complete the services in compliance of service estimates recently approved.
3. Photographs of the project have been submitted.
4. Promoter has submitted the architect certificate which states that 99.1% of the infrastructural and construction work has been completed including roads, storm line, sewer line, electricity etc. as on 24.08.2023.
5. Promoter has submitted CA certificate which states that balance in escrow account on 24.08.2023 is ₹262.94 lakhs.



6. The promoter has not submitted Engineer Certificate. The promoter has submitted online quarterly up to 30.06.2023.

7. The promoter has requested for extension of registration for one year, i.e., upto 30.06.2024. Audit of project has already been got conducted.

8. Notice under section-35 of RERA Act, 2016 was issued to the promoter and matter (Suo Motu Monitoring Complaint 2138-2023) was last heard on 21.02.2024 which is now scheduled for hearing on 10.04.2024. In reply to the show cause notice the promoter submitted that:

- a) the promoter has received approved service plan estimates on 28.12.2022,
- b) complete EDC/IDC has been paid to DTCP,
- c) petition for delay in the services to be laid by HSVP has been filed and the matter is sub-judice with the High Court, copy of photographs of the project
- d) copy of CA certificate dated 10.10.2022 showing cash inflow of Rs. 723.55 lacs and outflow of Rs. 723.44 lacs.
- e) Architect certificate shows work in progress- NILL and total plots are equal to completed plots i.e. 464.

The promoter vide reply dated 11.03.2024 has requested the Authority to allow Resident Welfare Association of the concerned project named as Ansal Welfare Association (Regd.) may kindly be impleaded as a co-complainant in the complaint since the impleadment of the present welfare association is necessary to adjudicate the matter in dispute.

9. On 26.09.2023, the Authority was of the view that promoter has failed to complete the project after grant of third extension. After consideration, Authority decided that promoter be personally present on next date of hearing to explain the resolution plan for completion of project. Adjourned to 04.12.2023.

10. On 04.12.2023, promoter was not present. Authorized representative sought time to comply with the directions of Authority. Acceding to the request, case was adjourned to 22.01.2024 with the directions that one of the Directors of the company will be present on the next date of hearing.

11. On 24.01.2024, Authority decided as under:

- i. Inspection of site be got done from an empanelled Engineer firm for latest status of project.
- ii. No engineer certificate has been submitted. Different percentages of infrastructure and construction work have been given such as 99.1%, 67% and 45%. Promoter should explain the differences.
- iii. Total number of plots, plot sold and unsold be given.



- iv. Availability of funds for completion of project be submitted, i.e. amount received from allottees since registration, amount spent on infrastructure/construction, amount recoverable duly supported by CA Certificate.
- v. Mr. Naresh, Director informed that revised resolution plan has been submitted. It may be examined by project section.
Adjourned to 20.03.2024.
12. Vide reply dated 19.01.2024, the promoter has submitted the following:
- i. Submitted an Engineer Certificate dated 09.01.2024 stating that total estimated cost for completion of the building(s) is 2258 lakh, estimated cost incurred till date is 1209 lakh and the balance cost of completion of civil work/MEP and allied works of the building(s) of the project for obtaining occupation certificate/completion certificate from DTCP.
 - ii. CA certificate dated 18.01.2024 stating that 54% of expenditure has been made against the cost of development and construction.
 - iii. Architect certificate dated 31.12.2023:

a) Internal Roads & Pavements	90%
b) Water supply	67%
c) Sewerage	30%
d) Storm water drains	76%
e) Parks and play grounds	78%
f) Street lighting	75%
g) Energy management	25%
h) Electrification	19%

(Work done in % of the total estimated cost as shown in CA certificate vary with the Architect certificate.)
 - iv. Undertaking on timelines for completion of development works stating that the company will complete the development works on or before 30.06.2025 required for completion of the project w.r.t the subject RERA registration.
 - v. Photographs has been attached.
 - vi. Approval letter of service plan estimates dated 28.12.2022 (No estimates/ approved service plan enclosed)
 - vii. Environmental Clearance issued on 18.01.2023 valid upto 17.01.2033.
 - viii. QPR uploaded upto 31.12.2023.
 - ix. That complete EDC/ IDC has been paid to the DTCP, supported by CA certificate.
 - x. Total number of plots 340
Total sold plots 340
Unsold plots Nil
EWS plots handed over to Housing Board Haryana as per Departmental Policy
 - xi. The standard designs of SCOs for 1.98 acres commercial pocket has not been approved yet, they will submit the same as and when approved by DTCP.



xii. Request to allow them to complete the infrastructural development by 30.06.2025 as by handing over the society to RWA will affect the interest of the allottees.

14. The promoter is seeking fourth and fifth extension up to 30.06.2025. Fee for extension of one year up to 30.06.2024 has been paid. The promoter has undertaken that he will be able to complete the development works by 30.06.2025.

15. Engineer's Certificate dated 09.01.2024 mentions that 54% of internal and external development works have been executed. The promoter on 24.01.2024 was asked to submit the availability of funds for completion of project, amount received from allottees since registration, amount spent on infrastructure/ construction, amount recoverable duly supported by a CA Certificate. This information has not been provided by promoter.

16. On the request of promoter, Authority adjourned the matter to **01.05.2024** with the directions to comply with earlier directions of the Authority failing which penalty proceedings U/s-63 shall be initiated.



True copy

Executive Director,
HRERA, Panchkula

all ready 3/4/24.

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

LA (Monika)