



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 15.05.2024.

Item No. 253.14

Continuation of registration under Section 7(3) of the RERA Act, 2016.

Promoter: Amarnath Aggarwal Investments Pvt. Ltd.

Project: "Amravati Enclave", Plot No. 854 to 866 (13 plots of 300 sq. mts.) and 72 apartments in Block B1 (2 No.s) New, Block B2 New, Service apartment and 3 Nos, EWS Block situated in their ongoing project on land measuring 16.156 Acres in village Bhagwanpur, Sector 2, Pinjore-Kalka Urban complex, District Panchkula, Haryana.

Reg. No.: 56 of 2018 dated 12.08.2018 valid upto 30.12.2021 (First Extension granted upto 31.01.2023).

Present: Mr. Jyoti Sidana and Mr. Bal Kishan.

1. M/s Amarnath Aggarwal Investments Pvt. Ltd. vide letter dated 31.01.2023 had applied for continuation of registration under Section 7(3) of the RERA Act, 2016 of their project cited above. The matter was placed before Hon'ble Authority in its meeting held on 17.04.2023 vide Item No. 208.08 wherein Hon'ble Authority decided that audit of the project be got conducted and public notice in newspapers be got published for inviting objections from general public. Promoter was also asked to submit the time period up to which the project will be completed as well as availability of funds for the completion the project.

2. In view of the above vide letter dated 02.06.2023, M/s S. Mehtani & Company were appointed as auditor to conduct the audit of the said project. Further public notice in newspapers, The Tribune, Chandigarh and Dainik Bhaskar were published on 06.06.2023. A total of 5 objections were received from the public.



3. Thereafter, the Authority in its meeting held on 06.11.2023 vide item no. 232.22 decided that promoter be supplied copies of the objections received from the allottees for comments on each and every averment in an annotated form. A copy of mail dated 03.11.2023 received from CA be also sent to promoter to explain as to why show cause notice under Section 35 may not be issued to them for not cooperating with CA firms appointed by Authority.

4. Thereafter the Authority in its meeting held on 24.01.2024 vide item no. 239.26 decided as under:-

- i. Promoter should submit a copy of orders of Hon'ble Punjab & Haryana High Court.
- ii. Information regarding supply of data to CA be submitted in tabular form (i.e. mentioning the date of e-mail/ letter of CA seeking information, information sought, date of reply and information supplied)
- iii. Copy of deed of declaration be submitted.
- iv. Promoter should submit the reply as per observations of Authority.
- v. Auditor's report was also awaited in this matter.

5. The promoter vide letter dated 01.03.2024 has submitted reply on comments received from the allottees and stated that entire residential plotted colony is having total area measuring 118.3 Acres out of which completion certificate for an area measuring 104.646 acres has been granted vide letters dated 20.12.2001 (93.08 Acres) and 02.09.2015 (11.566 Acres). The said License No. 186 of 2008 dated 29.10.2008 is renewed upto 28.10.2025.

6. That a Group Housing colony was approved for an area measuring 13.59 Acres in which Occupation Certificates have been issued for all towers except the Tower B1 (New), B2 (New), EWS Block & Service Apartment (which includes 216 number of main dwelling units and over an area measuring 4.59 Acres), the same has been registered in the Hon'ble RERA Authority. Copies of Occupation Certificates have been enclosed. A Site Plan highlighting the Towers which have been registered under RERA Authority is also enclosed. They submitted that they have not launched the said Towers and No Third Party rights have been created on the said Towers.

7. Further, 13 Nos. of Plots (Plot No. 854 to 866 of 300 Sqm each) have also been registered under RERA Authority on which floors are to be constructed at site. Said 13 plots have been earmarked on the Layout Plan enclosed herewith for reference. The Occupation



Certificate of Plot No. 854, 855, 856, 857, 862, 863, 864, 865 (8 Plots) have been issued by the DTP, Panchkula. Only Five Plots on which floors are to be constructed, are due for grant of Occupation Certificate.

8. Thereafter, reply dated 01.03.2024, along with comments of promoter on objections received from the allottees and Auditor report dated 01.02.2024 were placed before the Authority in its meeting held on 03.04.2024 vide item no. 248.11 wherein the Authorized representative stated that objections received by Authority do not pertain to the area registered with Authority. Promoter had applied for third year extension also. Hence, Authority decided that extension of second year and third year be clubbed together. Audit report be examined by Project Section and report be submitted in next meeting.

The project is registered with HRERA vide registration no. HRERA-PKL-56-2018 Dated-12.10.2018 which was valid up to April, 2022 & further force majeure event due to covid-19 valid up to 31.01.2023;

1. Plot No.854 to 866 (13 plots of 300 sq. mtrs.);

2. 72 Apartments in Block B1 (2 No's.) New, Block B2 New, service apartment and 3 Nos, EWS Block situated in their ongoing project on land measuring 16.156 Acres in District Panchkula, Haryana.

In regard to project mentioned at S. No. 2 above, the auditor stated that on the basis of writ petition no. CWP No. 22170 of 2018 titled S RANGI AND OTHERS V/S STATE OF HARYANA AND OTHERS filed by some residents, the Hon'ble Punjab & Haryana High Court has stayed the construction of Apartments. It has been informed that stay has yet not been vacated by Hon'ble Punjab & Haryana High Court. Since on account of stay on construction no progress in the project has been made, the audit of the said project was not undertaken by them.

9. Now, the promoter vide letter dated 29.03.2024, has applied for further extension of for third year for a period upto 31.01.2025. The promoter has only applied for extension of 5 plots of 300 sq. mtrs each and has submitted a fee of Rs 16,875/- as extension fee. However, the total registered area of the project is the area falling under Plot No. 854 to 866 (13 plots of 300 sq. mtrs.) and 72 apartments in Block B1 (2 No.s) New, Block B2 New, Service apartment and 3 Nos, EWS Block situated in their ongoing project on land measuring 16.156 Acres. License no. 186 of 2008 has been renewed upto 28.10.2025.

10. The promoter vide further letter dated 16.04.2024 has informed that:-



- i. An Affidavit is enclosed herewith stating that no third party rights have been created in the Group Housing colony which is registered in the Hon'ble RERA Authority including Tower B1 (New), B2 (New), EWS Block & Service Apartment (which includes 216 number of main Dwelling Units).
 - ii. Further the status of 13 Nos. of Plots (Plot No. 854 to 866 of 300 Sqm each) have also been registered under RERA on which Floors to be constructed at site. Out of these 13 plots, Occupation Certificates of Plot No. 854, 855, 856, 857, 862, 863, 864, 865 (8 Plots) have been issued and only 5 no. of Plots on which floors are under construction as on date.
 - iii. That it is clarified that the as per Annexure-14 of Audit Report, Total Cost of Construction as per Certificate of Chartered Accountant is estimated cost of Construction of Total Project, i.e., Flats, Floors, Development charges (EDC, IDC and Internal development works) & Other costs. Copy of CA Certificate is enclosed for reference. Therefore, upon completion of entire project the said differential cost will get accomplished/ achieved as per estimated cost.
 - iv. That the construction works in the Group Housing component will start only after getting the validation of Environmental Clearance and after vacation of the Stay on construction by the Hon'ble High Court of Punjab & Haryana. Authority has been requested to grant moratorium period against extension of RERA Registration; till the permission / stay granted to us for starting the construction.
11. Mr. Jyoti Sidana, Authorized Representative stated that extension has been applied on 14.05.2024 for whole area. Hence, Authority decided that complete case will be considered along with extension case.
12. Adjourned to 07.08.2024.



True copy

[Signature]

Executive Director,
HRERA, Panchkula

[Signature]

23/5/24.

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

LA (Shubham)