



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 05.06.2024.

Item No. 256.06

Request to allow de-registration of the project and to merge the extension application of the project with the same.

Promoter: M/s BPTP Limited.

Project: "Tower-N (The Deck) & EWS"- a group housing colony measuring 17.25 acres in Sector-82, Faridabad, Haryana.

Reg. No.: HRERA-PKL-FBD-183-2019 dated 20.12.2019 valid upto 31.12.2022.

Temp ID: RERA-PKL-650-2019

Present: Ms. Neha, Proxy Counsel of Sh. Hemant Saini, Counsel for respondent/ developer.

1. M/s BPTP Limited vide letter dated 11.09.2023 has requested for the first extension of registration of project namely; "Tower-N (The Deck) & EWS"- a group housing colony measuring 17.25 acres in Sector-82, Faridabad, Haryana. Registered vide Registration No. HRERA-PKL-FBD-183-2019 dated 20.12.2019 valid upto 31.12.2022.

2. The applicant has applied for the extension (including covid period) as under:

- (i) COVID standard extension upto 30.09.2023
- (ii) First extension upto 30.09.2024.

3. The matter was considered by the Authority in its meeting held on 04.12.2023 and following directions were passed:

"6. Authority observes that promoter has not appeared personally as directed by Authority in its meeting held on 26.09.2023. Hence, Authority provides one more opportunity to be present personal on next date of hearing through one of its



Directors to explain the resolution plan for completion of project. Promoter should also submit copy of approved demarcation plan and to upload up to date QPRs.

9. *Adjourned to 29.01.2024.*"

4. Vide reply dated 15.01.2024, it has been submitted that the promoter is now desirous of getting the phasing done for the Tower 'Deck' along with the revision of building plans due to change in market demand of real estate sector. It has been submitted that after getting the final approval for the phasing and revised building plans of the project, promoter would apply fresh application for RERA registration of the project and also undertakes not to sell anything in the due course.

5. The promoter has submitted that since the RERA registration of the project, the sold unit count out of total units of Tower "Deck" has come down to only two allottees and the promoter has been settling with the customers and had no intent of sale or offer for sale. Further, remaining two allottees are already at the stage of finalization before learned Adjudicating Officer, wherein the compliance has been done by the promoter and cheques amounting to ₹2,64,84,859/- and ₹1,92,61,668/- in favour of Sh. Arun Bhaduria & Neelam Singh (execution no. 609 of 2023) and Nikhil Batra (Execution No. 2997 of 2022) respectively have been deposited. However, in both the cases the allottees need to submit the foreclosure letter.

6. Request has been made to merge the extension application of the project with this letter and de-register the project.

7. When the matter was heard on 31.01.2024, following was observed:

"9. After consideration, Authority decided that phasing of the project and building plans are to be approved by DTCP, Haryana. Hence, promoter should apply to DTCP. After approval of phasing of the project and building plans by DTCP, request of promoter will be considered."

8. The promoter vide reply dated 20.02.2024 has submitted that in order to streamline the processes of the phasing of the licensed colonies, the Governor of Haryana has issued the policy instructions/clarifications regarding phasing in licensed colonies which was duly notified on 24.04.2023. As per said policy, if the colonizer wants to get the phasing of the project then, the colonizer need to submit an undertaking regarding the non-registration of the project. The promoter has submitted that wherein the project is already registered with HRERA, Panchkula, the said project is required to be de-registered first as per the policy



guidelines then only phasing can be applied. So, request has been made to de-register the project.

9. The matter was last considered by the Authority on 10.04.2024 wherein following was observed:

“10. The policy dated 24.04.2023 with regard to phasing of licenced colonies mention that for a licensed colony or part of it, which is yet to be registered by RERA (though requiring registration before creation of third party rights), the colonizer shall disclose to the director, its plan for development of such colony, or part of it, in phases(s). An undertaking from the colonizer regarding such non-registration of the colony or such part of it shall be considered adequate along with such disclosure.

11. Authority observes that provision with regard to phasing of the project are very much clear, hence no de-registration of project is required. After consideration, Authority decided that extension application of promoter be considered.

12. Adjourned to 05.06.2024.”

10. The promoter has filed QPR upto 31.12.2023.

11. The promoter vide reply dated 30.05.2024 has submitted that the project is required to be de-registered first then only phasing can be applied and after such approval of phasing and building plans, RERA registration shall be applied. Request has been made to de-register the project.

12. After consideration, Authority gave last opportunity to promoter to settle the matter with remaining two allottees before next date of hearing for considering their request of de-registration.

13. Adjourned to 28.08.2024.



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11/6/24.

True copy

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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 (Asstina)