



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 29.05.2024.

Item No. 255.11

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.

Temp ID: 1023-2022

Present: Mr. Nishant Nagpal, Partner & Mr. Tarun Ranga, Advocate.

1. Sh. Charan Dass (one of the partners of Keerat Developers and Promoters) vide letter dated 11.09.2023 has complained 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 came 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 complainant 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. 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. 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. In compliance of the order of the Authority, a suo-motu notice has been issued on 10.10.2023 having complaint number RERA-PKL-2329-2023. The Complaint was heard on 24.01.2024 and the same has been disposed of by the Authority as the Promoter has now applied for extension on 17.11.2023. The extension application is under consideration of the Authority and listed for hearing on 12.06.2024).
3. The Authority in its meeting held on 21.11.2023 vide item no. 233.22 observed 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. The Authority decided that the complainant be present on the next date of hearing.

4. The matter was placed in the meeting held on 31.01.2024, Mr. Nishant (Partner) appeared before the Authority. Sh. Charan Dass (Complainant) did not appear despite issue of notice and telephonic message to him. Sh. Nishant stated that till date 39 allotments have been made which have been signed by all the partners. The Authority directed to submit a detail reply of representation of Sh. Charan Dass containing details such as total no. of plots, plots sold, plots unsold, total amount collected from allottees since registration granted till date, amount withdrawn, spent on infrastructure development of the colony duly supported by C.A. Certificate as well as balance available in RERA account of project duly supported with bank account statement. The Authority directed that the reply be submitted latest by 18.03.2024 and all the partners be personally present on next date of hearing i.e. 27.03.2024.

5. The Authority in its meeting on 10.04.2024 observed that nobody was present nor any reply has been submitted. The Authority again directed that all the partners be personally present on the next date of hearing i.e. 29.05.2024. The extension application of the project is also under consideration of the Authority and listed for hearing on 29.05.2024. Now listed for hearing on 12.06.2024 vide order dated 23.05.2024. Vide letter dated 26.03.24, Sh. Nishant Nagpal has requested to provide copy of complaint given by Sh. Charan Dass in the Authority on 11.09.23. Copy of complaint has been sent to him on the registered email on 16.05.2024. As of now no reply has been received.

6. Mr. Nishant Nagpal, Partner of the firm stated that reply has been submitted in the registry today, i.e., 29.05.2024. Authority decided that reply submitted by promoter be examined & put up in next meeting. Also last opportunity be given to the complainant to be present in next meeting.

7. Adjourned to 21.08.2024.



[Handwritten signature]
5/6/24.

True copy

[Handwritten signature]

Executive Director,
HRERA, Panchkula

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

LA (Kakul)