



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 24.07.2024.

Item No. 260.29

Violations committed by the Promoter.

Promoter: Parsvanath Developers Limited.

Project: "Parsavnath City Karnal" a Residential Plotted Colony on land measuring 81.136 acres situated in Sector 35, Karnal (License no. 73 of 2012 & 141 of 2014).

Reg. No.: HRERA-PKL-KRL-270-2021 dated 12.10.2021 valid upto 31.12.2023.

Present: Ms. Rupali S. Verma, Ld. Advocate through VC

1. A letter was received on 15.01.2024 from Director, Town & Country Planning against the promoter "Parsvanath Developers Ltd." The developer got license no. 73 of 2012 & 141 of 2014 for developing Residential plotted colony on land measuring 81.136 acres situated in sector 35, Karnal. DTP, Karnal received various complaints from general public against the irregularities committed by the developer. DTP has restrained the developer company to execute any kind of sale purchase agreement, sale/lease deed, to give possession certificate or any kind of approval required to create third party rights or to construct new houses in the colony. DTCP has suspended the above cited licenses immediately due to non-compliance of terms and conditions of bilateral agreement executed at the time of grant of license as well conditions of license. DTCP had requested that a Suo-motu cognizance of violation be taken and penal action against the defaulting promoter be initiated.

2. In view of above, on 24.01.2024 Authority had passed the following orders:

"After consideration, Authority decided that a suo-motu complaint be registered against the promoter. Authority further decided that audit of project be got conducted from a CA firm empaneled by Authority"



and a public notice be given in newspapers or inviting objections from general public”.

3. In compliance of the orders of the Authority, a suo-motu compliant no. 423 of 2024 was registered against the promoter which was last heard on 24.04.2024 in which the Authority decided “*registration of project be kept in abeyance as license of the promoter has been suspended by the DTCP. The promoter is also directed not to sell any unsold inventory or create any third-party rights in the project.*” On 15.05.2024, the above said registration has been kept in Abeyance and the information regarding Abeyance of the project has been conveyed to the DTCP as well vide letter dated 27.05.2024.
4. On 24.04.2024, no reply was received from the promoter. Therefore, Authority directed that the promoter be personally present on the next date of hearing and adjourned the matter on 10.07.2024.
5. The Project has now been kept in abeyance as per the orders of the Authority in the Suo-Motu Complaint registered against the Promoter, hence orders of the Authority dated 24.01.2024 be amended regarding Audit of the project and publishing of public notice.
6. Vide Reply dated 10.07.2024, the promoter has submitted:
 - i. Learned DTCP is in seized of the matter and is yet to take a final decision on the issues pointed out in the notice dated 10.01. 2024. Present proceedings may kindly be kept in abeyance to await for the final adjudication on the issues raised in memo No. LC-1226 VOL-IV/JE(RK)/2024/1047 dated 10.01.2024 by DTCP, Haryana.
 - ii. Till the time, the competent Authority adjudicates the issues in memo dated 10.01.2024, the violations of Haryana Development and Regulation of Urban Area Act,1975 cannot deemed to be in violation of the provisions of Real Estate (Regulation and Development) Act, 2016.
 - iii. As on date, except one (STP), all basic amenities are available in the project, as reported by the senior official of this Authority in his report dated 10.08.2022. The issue raised in report dated 10.08.2022 and issues raised in memo dated 10.01.24 by DTCP are overlapping to the extent of outstanding dues of EDC/IDC.
 - iv. As the issue of EDC/IDC is concerned, promoter has already applied under ‘One Time Settlement Scheme’ and the competent Authority is yet to take a final decision and to this extent memo dated 10.01.24 has been issued without adverting to the records. An



- application seeking relief under One Time Settlement Scheme has been submitted in DTCP on 31.01.23 and pursuant to various observations, vide communication dated 14.11.2023, unsold inventory of the value of Rs. 29.17 crore has already been offered to the competent Authority besides the amount of EDC available on account of surrender of licenses, which is 43.50 crore.
- v. The revised zoning plan and demarcation plan have been withheld by the department only on account of pending issues of EDC/IDC, the promoter cannot be held to be in violation of law, in as much as, all other ancillary issues relating to the development area dependent on the issue of EDC/IDC.
- vi. Considering the direction issued by HRERA, the DTCP had approved the final layout plan for an area measuring 81.136 acres vide DTCP memo dated 17.03.2021 and thereafter the promoter had submitted the Zoning Plan/Demarcation plan of the project Township vide Memo dated 10.05.2022 for approval by competent Authority. The said zoning/demarcation plan was duly checked and approved by DTP Karnal and STP Panchkula and on 20.04.2022, it was forwarded to the office of DTCP, for the reasons explained above. The revised zoning /demarcation plan has been withheld by the competent Authority.
- vii. Status of Project:
- 50.56 Acres : Possession of plots has been offered to the allottees as service estimates, layout/zoning and demarcation plans had been approved by the competent Authority. Approximately 130 allottees have raised construction and they are occupying the constructed residential units.
- 30.572 Acres: Pending approval of revised demarcation and zoning plan and revised service estimates, the possession of the plots has been offered in terms of the order dated 22.02.2021 passed by the Authority.
7. In all, as on date 600 number of allottees have been offered the possession of the plots and more than 200 allottees have already taken the possession after registration of conveyance deeds.
8. The Company has not violated or breached any of the terms of the Bilateral Agreement or the licences of the said project. The Company has been putting all its best endeavours to resolve the issues of the allottees at the site.



9. As, the matter was last listed for hearing on 10.07.2024. On 10.07.2024 on the request of learned counsel Ms. Rupali Verma, it was adjourned to 24.07.2024 so that it can be heard along with the suo-motu complaint no. 423-2024 which is also listed for hearing on 24.07.2024.

10. The above said license has been suspended by the DTCP due to non-compliance of terms and conditions of bilateral agreement as well as conditions of the license on 10.01.2024.

11. Ld. Advocate Ms. Rupali S. Verma submitted that suspension of license is to be decided shortly by DTCP. On request of Ld. Counsel, Authority adjourned the matter to 09.10.2024.



True copy

[Handwritten signature]

Executive Director,
HRERA, Panchkula

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14/8/24

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

LA (Kakul)