



**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 10.07.2024.**

**Item No. 259.38**

**Continuation of registration under Section 7(3) for forth and fifth year of the RERA Act, 2016.**

**Promoter: M/s Saubhagya Colonisers Pvt. Ltd.**

**Project: "Milap Estates - I", an Affordable Residential Plotted Colony under DDJAY on land measuring 14.90 Acres being developed at Sector 4 Naraingarh, District Ambala.**

**Reg. No.: HRERA-PKL-AMB-77-2018 dated 12.12.2018 which was valid upto 30.11.2019. First extension valid upto 30.05.2021, Second extension granted upto 30.08.2022. Third extension granted upto 30.08.2023.**

1. The promoter vide letter dated 29.08.2023, has applied for forth extension of registration of their project, which was placed before the Authority on 19.09.2023 vide item no. 227.10, wherein the Authority decided that as the promoter has failed to complete the project, further sale of the project is banned. Authority further decided that audit of project be got done from a CA firm empanelled by HRERA. A public notice be published in newspapers for inviting objections from general public.
2. In view of the above, Auditor M/s S. Mehtani & Company was appointed vide letter dated 17.10.2023 and public notice dated 06.10.2023 was issued in the tribune and Dainik Bhaskar newspapers on which no objections from general public have been received.
3. Thereafter vide letter dated 22.05.2024, Auditor has submitted its report which was placed before the Authority in its meeting held on 05.06.2024 wherein the Authority observed that a number of discrepancies have been pointed out by the CA firm appointed by the Authority. Hence, Authority decided that a copy of auditor report be sent to promoter for



comments. Promoter was directed to submit the reply atleast two weeks before the next date of hearing and the matter was adjourned to 28.08.2024.

4. Now, vide reply dated 19.06.2024, the promoter has submitted as under: -
- i. That they have complied with the provisions of the Section 4 (2) 1) D) of RERA Act, 2016 and have deposited seventy percentum of amounts realized for the real estate project while we have got approval from Hon'ble RERA Authority for the change in Bank Account on dated 24.08.2021.
  - ii. That they have opened RERA Accounts in Axis Bank Limited and inadvertently, before change of said Bank Accounts, they have deposited 100% amount in PNB A/c (Old A/c) whereas they were even not aware about the process procedure of the said provision of RERA. Primarily, the intention was to complete the development works from the funds received from the allottees and 100% amount was paid for the development of the Project till the change in said bank account. Hence, it was done unknowingly and was rectified after opening New Bank Accounts.
  - iii. That the amounts withdrawn from the RERA Account were in proportion to the percentage of completion of the Project.
  - iv. That there is no variation in the withdrawals from the RERA Accounts whereas it was related to land cost which has withdrawn as per proportion of the development works at site which is as per compliance of Section 4 (2) (1) d).
  - v. No receipts from allottees have been deposited into old RERA PNB Account after permission from Hon'ble RERA Authority dated 24.08.2021. It is further clarified that as per Annexure-14 enclosed with the Audit Report, the receipt from the allottees into Old RERA Account is on dated 19.06.2021 whereas the approval for change in said Account issued by Hon'ble RERA Authority on dated 24.08.2021. The said account was closed on 14.10.2022.
  - vi. That the shortfall amount, i.e., Rs.1,12,500.00 was deposited back to the account from operative account to RERA Account on the very same date. Bank Statement of the same is enclosed.
  - vii. That the expenditure incurred on salaries of the labour, who is taking care of the site and material placed over the project site & electricity charges during development works at site, hence, this is part of development works.
  - viii. Sh. Pawan Kumar the land owner/licensee in the said license and the company has paid him of their proportionate land cost, however, the agreement for settlement as per collaboration agreement is yet to be executed.
  - ix. That all the certificates were provided after getting withdrawal from PNB account but it is also to be appreciated that compliance in respect of the same has duly been complied with as & when it got into the knowledge of the management & they have





duly spent the requisite portion as per RERA guidelines purely on development of project & not for any other purpose.

- x. That they have duly submitted all the certificates from time to time and each & every certificate is having UDIN numbers duly mentioned on certificates submitted to RERA auditor. However, there might be chances of non-mentioning on UDIN in the initial periods due to oversight because UDIN was firstly introduced in Year 2019. However, we have provided all certificates with proper UDIN mentioned since last few years which can be verified from the certificates they had submitted from time to time. They requested the Authority to consider their application for extension of the Project and condone the imperfections found, if any, in the Audit.
5. Further, the promoter vide letter dated 14.06.2024 has applied for further extension of the said project for up to 30.08.2025 along with requisite documents. The development works in the said Project is 95% completed and services have been laid down at site. Due to revision in Master Plan of Naraingarh, the roads falling/ abutting on our Project site is re-aligned (as per draft of master plan). Hence, they can file revision of Layout of the said Project due to change in Master Plan. Hence, the Project final completion may be delayed by approx. one-year period. That the application for extension for the period up to Aug, 2024 has been delayed about 8-9 month's period due to Audit and the sale have not been permitted from last one year, hence, they have requested the Authority to allow the sales of the Plots.
6. In view of the above, the promoter has requested the Authority to consider request for Extension of Project up to 30.08.2025 and ban on sales of plots may be vacated.
7. After consideration, Authority decided to grant 4<sup>th</sup> extension of one year under section 7(3) of RERA Act, 2016 and also allowed sale in the project. Promoter should apply separately for further extension.

True copy



  
Executive Director,  
HRERA, Panchkula

  
7/8/24.  
A copy of the above is forwarded to CTP, HRERA Panchkula, for information and taking further action in the matter.

LA (shubham)