



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 28.08.2024.

Item No. 263.29

Continuation of registration for second year U/s- 7(3) of RERA Act,2016.

Promoter: VPN Real Estate Pvt. Ltd.

Project: "Ganpati Smart City", a Residential Plotted Colony on land measuring 26.522 acres situated in Sector-21, Village Kherpur, Sirsa, Haryana.

Reg. No.: 134 of 2019 dated 15.07.2019 valid upto 31.10.2021 extended upto 31.07.2023.

Temp ID: 372 of 2018.

Present: Mr. Tarun Ranga, Ld. Advocate.

1. M/s VPN Real Estate Pvt. Ltd. vide letter dated 19.07.2023 has applied for continuation of registration under Section 7(3) of RERA Act,2016 of their project "Ganpati Smart City" a Residential Plotted Colony on land measuring 26.522 acres situated in Sector 21, Sirsa registered vide registration no. 134 of 2019 dated 15.07.2019 valid upto 31.10.2021. First extension is valid upto 31.07.2023 (including period of nine months).

2. The promoter has not submitted CA Certificate, Engineer Certificate and Architect Certificate. Photographs showing the present position at site have not been submitted. The applicant promoter has submitted Rs.3,07,000/- as extension fee which is deficit by Rs.5,122/-. The promoter has submitted online quarterly up to 30.06.2023.

3. The matter was placed before the Authority in its meeting held on 26.07.2023 wherein Authority decided that audit of project be got done from CA firm and notice in newspapers inviting objections from general public be published in newspapers.



Public notice was published in newspapers on 25.08.2023. No objections were received in the Authority and M/s Sanjay Deep & Associates were appointed as an auditor on 29.08.2023. Vide letter dated 23.10.2023, M/s Sanjay Deep & Associates had submitted their report along with site photographs.

4. After examining the Audit Report dated 23.10.23, the Authority in its meeting held on 04.12.2023 vide item no.234.29 had decided that a copy of auditor report be sent to promoter. A show cause notice under Section-60 RERA Act,2016 be issued to promoter as to why penalty may not be imposed for violating Section-4(2)(l)(d) of RERA Act,2016 as promoter is maintaining multiple RERA Accounts in different banks. The money received in escrow account is just 2.59% (In compliance of the orders of the Authority, a suo motu complaint has been registered vide Complaint No. RERA-PKL-29-2024. and show cause notice dated 24.01.24 along with auditor's report has been sent to the promoter.)

5. On 31.01.2024, nobody was present on behalf of promoter. The Authority vide item no. 240.20 dated 31.01.2024 decided that promoter be personally present on the next date of hearing to explain as to why registration may not be revoked under Section-7(1) of RERA Act,2016 for violation of the provisions of the Act.

6. Vide Orders dated 03.04.2024, the Authority observed "*Banks are not following provisions of Section-4(2)(l)(d) of RERA Act,2016. Hence, Bank of Baroda and Union Bank of India be issued show cause notices under Section-35 of RERA Act,2016 to explain as to why provisions under Section- 4(2)(l)(d) of RERA Act,2016 are being violated by them*"(In compliance of the orders of the Authority dated 03.04.2024, show cause notice dated 08.05.2024 has been issued to the Bank of Baroda and Union Bank of India.)

7. It is pertinent to mention that the Complaint No. RERA-PKL-29-2024 was last heard on 15.05.2024 in which the Authority observed that the promoter has not complied with the provisions of the RERA Act, 2016. The Authority imposed a penalty of Rs. 10 Lacs under Section-60 of the Act for violating the provisions of Section-4(2)(l)(d) of the RERA Act, 2016 and directed the promoter to deposit the said amount in the registry of Authority before the next date of hearing. Suo-motu was adjourned to 21.08.2024. Now it is listed for hearing on 25.09.2024.

8. On 15.05.2024, Authority observed that the promoter was required to be personally present but not nobody has appeared and no reply has been submitted. After consideration,



Authority decided that further sale in the project is banned and Rs. Two Lacs cost is imposed upon the promoter for not assisting and complying with the directions of the Authority. Promoter be personally present on the next date of hearing.

9. On 07.08.2024, representative of promoter, Sh. Arun Kumar appeared and informed that reply has been submitted on 02.08.2024. Authority directed the Project Section to examine the reply and place it on 28.08.2024.
10. Vide Reply dated 02.08.2024, the promoter informed that on 15.05.2024, CA and Accountant of the Company with Company representative personally appeared before the Authority and produced their documents. Also, M/s Sanjay Deep & Associates were also directed to personally appear on 15.05.2024, but the Auditor did not appear that day. Promoter stated that the Company always respect the directions of the Authority and requested to discharge from said notice dated 23.05.2024 and grant extension at earliest as allottees are suffering due to non-funding from banks without RERA extension.
11. After consideration, Authority decided that promoter should deposit deficit fee of Rs.5,122/- and file up to date QPRs. Ld. Counsel stated that cost of Rs. two lacs has been deposited on 02.08.2024. Project Section should check the deposit of cost and put up the status on next date of hearing.
12. Adjourned to 25.09.2024.



True copy

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 (Kakul)