



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 04.09.2024.

Item No. 264.23

Submission of the Occupation certificate and no extension required under Section 6 of the RERA Act, 2016.

Promoter: M/s BPTP Limited.

Project: "Pride Floors"- consisting of 58 plots on land measuring 5.22 acres having 174 floors forming part of the layout plan measuring 152.97 acres in Sector-77, 78, Faridabad, Haryana.

Reg. No.: HRERA-PKL-FBD-187-2019 dated 31.12.2019 valid upto 31.12.2022.

Temp ID: RERA-PKL-62-2018.

Present: Mr. Hemant Saini, Ld. Advocate.

1. The matter was considered by the Authority on 21.11.2023 wherein following order was passed:

"1. M/s BPTP Limited vide letter dated 02.11.2023 has submitted that captioned project consist of 58 plots and each plot consists of 3 floors which eventually be 174 units in total. The RERA registration certificate of said project was valid upto 31.12.2022. After inclusion of general extension given due to COVID, the project was valid upto 30.09.2023.

2. It has been submitted that on the date of issuance of RC i.e. on 31.12.2019 out of 174 units, OV for 162 units (54 pots) was already obtained by the promoter. For the remaining 12 units (4 plots), the OC was received on 20.01.2020 and 25.03.2021. Currently the OC for all the 174 units has already been obtained by the promoter and construction work of all the units has also been well completed by the promoter. The promoter had discharged its obligation well before the completion timeline i.e before 30.09.2022 and therefore the extension under Section 6 of the RERA Act 2016 is not required to be applied by the promoter.

3. Request has been made to take the details on the records and upload the copies of all OC's on the website of the Authority.

4. After consideration, Authority decided that promoter should upload up to date QPRs on web portal of Authority. After that request of promoter will be considered.



6. *Adjourned to 22.01.2024.*”

2. The promoter vide reply dated 15.01.2024 has submitted that OC of the project has been received on 20.01.2020 and 25.03.2021 and QPR have been filed till 31.03.2021.

3. The matter was heard on 24.01.2024 vide item no. 239.42 wherein Authority decided that OC be taken on record and uploaded on web portal of the Authority. It was further observed that as decided by Hon'ble Supreme Court, RERA compliances are to be made till receipt of completion certificate. Hence, promoter should apply for extension of project and the matter was adjourned to 20.03.2024.

4. The promoter vide reply dated 19.03.2024 submitted that Hon'ble Apex Court in M/s Newtech Promoters and Developers Private Limited and State of Uttar Pradesh and others has addressed the question of registration of ongoing projects and does not discuss the scenario where continuation of registration of the project under RERA Act is incumbent upon receipt of completion certificate. It has been submitted that there is no provision under RERA Act or under any rules applicable in the state of Haryana which mandates the registration of the project under RERA Act till receipt of completion certificate. It has been further submitted that after obtaining OC the conveyance deed in favour of the allottees or the association of the allottees can be duly executed. Section 17 of RERA Act also permits the promoter to provide physical handover of the apartment or building once the OC has been obtained. It has been submitted that the project requires no further development and the promoter has fulfilled all the obligations under RERA Act qua the project. Request has been made to consider their averments that no extension of registration of the project under RERA Act is required and that the promoter has fulfilled its obligations under the RERA Act qua the project.

4. In compliance of the order dated 24.01.2024, OC's have been uploaded on the web portal of the Authority.

5. The matter was last heard on 20.03.2024 wherein following was observed:

“5. *Authority observes that promoter has not applied for extension as registration was valid upto 30.09.2023.*

6. *After consideration, Authority decided that promoter be issued show cause notice under Section 35 read with Section 63 as to why penalty may not be imposed.*

7. *Adjourned to 15.05.2024.*”



6. In compliance of the above order, show cause notice under Section 35 read with Section 63 was issued to the promoter on 29.04.2024.
7. The matter was last heard on 07.08.2024 wherein Sh. Hemant Saini, counsel for the promoter stated that reply has been filed on 05.08.2024 and on his request matter was adjourned to 04.09.2024.
8. The promoter has filed its reply on 05.08.2024 submitting the averments made in reply filed on 19.03.2024. Along with that it has been submitted that before the issuance of Occupation certificate all the concerned authorities of Town and Country Planning Department visit the project to assess the project and satisfy itself prior to issuing of OC. After obtaining OC, RERA permits the promoter to discharge its obligation towards allottees by making physical handover of possession available and registration of conveyance deed. It has been submitted that the project requires no further development and promoter has fulfilled its obligations under the RERA Act qua the project. It has been prayed to consider their request that no extension of the project under RERA is required.
9. Mr. Hemant Saini, Ld. Counsel submitted that extension application is under process and will be filed shortly. On request of Ld. Counsel, Authority adjourned the matter to 16.10.2024.



26/9/24.

True copy

[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 Ashima