



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 09.10.2024.

Item No. 266.28

Request for de-registration of project.

Promoter: M/s BPTP Limited.

Project: "Park Arena"- a group housing colony on land measuring 10.63 acres (having an FAR of 75259.868 sq.mtrs) in Sector-80, Faridabad, Haryana.

Reg. No.: HRERA-PKL-FBD-260-2021 dated 02.09.2021 valid upto 31.08.2025.

Temp ID: RERA-PKL-870-2020.

1. The matter was considered by the Authority in its meeting held 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 was launched by the promoter during pre-RERA regime in the year 2010. There are 624 units and till the filing of online REP-I (A-H) for the said project, the promoter had remained with 62 units only. It has been submitted that post coming into effect of the RERA Act, 2016, the promoter has not advertised, marketed, booked, sold or offered for sale, or invited persons to purchase in any manner any units in the said project. Further, even prior to the coming into effect of RERA, the promoter has only been settling with the allottees and providing refunds. As of now there are only 16 customers in the project who need to be settled as on date and the promoter is constantly in touch with them and they are desirous to amicable settle the matter.

2. It has been submitted that said fact was brought to the notice of the Hon'ble Authority in the proceedings dated 19.10.2020, conducted for the consideration for the application for registration of the project. However, the Authority had observed during the proceedings dated 19.10.2020 that the project was squarely covered under the definition of 'ongoing project' as certain customers remained unsettled at that time, and directed the promoter to amend the online proforma and pay the registration fee.

3. It has been submitted that promoter had to take RERA registration merely because the project was covered under the definition of 'ongoing project'. The



promoter has shown its bonafide by providing refunds and arrangements to the existing allottees and not advertising the project for further sale. Since, the promoter has not been selling any of the units in the said project, the purpose of taking RERA registration herein serves no purpose to the stakeholders.

4. *Request has been made to de-register the project as the promoter is only in the process of settlements and arrangements with the remaining 16 allottees.*

5. *Authority observes that this was a on-going project, hence, it was got registered by promoter on direction of Authority. Settlement with 16 allottees is still pending. Hence, promoter should intimate Authority how much amount is to be paid to each allottee? The request of promoter cannot be considered at this stage.*

6. *Adjourned to 22.01.2024."*

2. The promoter vide reply dated 18.01.2024 submitted that they have settled with two more allottees and now there are only 14 allottees left.

3. The matter was then considered by the Authority on 20.03.2024 wherein Authority decided that promoter be issued show cause notice under Section-35 read with Section 63 as to why penalty may not be imposed. In compliance of the said order, show cause notice dated 29.04.2024 was issued to the promoter.

4. The matter was then considered by the Authority on 15.05.2024 vide item no. 253.06 wherein following was observed:

"5. On request of Mr. Saini, Ld. Counsel, Authority gave last opportunity to promoter to submit the reply within next four weeks from today failing which Authority will be constrained to impose penalty, as show cause notice has already been issued on 29.04.2024.

6. *Adjourned to 07.08.2024."*

5. The promoter has submitted reply to the show cause notice on 10.07.2024 submitting that the Authority vide its order dated 21.11.2023 had asked the promoter to intimate as to how much amount is to be paid to each allottee. The said information was submitted by the promoter on 18.01.2024 perusal of which shows that a sum of ₹5.03 crores were remaining to be paid to the 14 customers. It has been stated that said reply was inadvertently not considered by the Authority in in the hearing dated 24.01.2024 and was ultimately considered in the proceedings dated 20.03.2024 in which the Authority issued a show cause notice on account of pending settlement with 14 allottees. It has been submitted that no order or direction was ever passed by the Authority which was to be complied nor any order or direction has been contravened by the promoter. It has also been stated that the developer has settled with three more allottees and remaining customers are 11 and the promoter is in the



process of doing settlements with them. Therefore, request has been made to discharge the said notice.

6. The matter was considered by the Authority in its meeting held on 07.08.2024 wherein following was observed;

"7. After consideration, Authority decided that as the promoter has submitted the information in time, the notice issued on 29.04.2024 is hereby discharged. Authority asked Ld. Counsel to submit any orders of Hon'ble High Court or Hon'ble Supreme Court directing deregistration of project before next date of hearing.
8. Adjourned to 09.10.2024."

7. The promoter vide reply dated 30.09.2024 has submitted that the company has decided to withdraw the de-registration application. There are still 13 allottees left to be settled in the said project and now the company is desirous to settle the remaining allottees first for the best interest of all stakeholders. Request has been made to allow the withdrawal of the registration application.

8. Acceding to request of promoter, Authority decide to allow withdrawal of application for de-registration of project. Promoter should settle the matter with remaining thirteen allottees under intimation to Authority or otherwise implement the project as per registration granted by the Authority.

9. Adjourned to 04.12.2024.



[Handwritten signature]
16/11/24

True copy

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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)