HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. (Suo-Motu)1066 of 2020

HRERA, Panchkula

...COMPLAINANT

VERSUS

Pivotal Infrastructure.

....RESPONDENT

CORAM: **Nadim Akhtar** **Member**
Dr. Geeta Rathee Singh **Member**

Date of Hearing: 27.02.2023

Hearing: 14th

Present: - Adv. Manju Goyal on behalf of Intervener.

ORDER (Nadim Akhtar -Member)

Notice u/s 35 of the RERA Act, 2016 dated 05.10.2020 was issued to the promoter for neither completing the project within the timelines declared under section 4(2)(l)(C) of the RERA,Act 2016 at the time of seeking registration nor seeking extension of registration of the real estate project namely "Royale Heritage" registered vide registration no. HRERA-PKL-FBD-47-2018 dated 14.09.2018 valid upto 31.12.2019 for development of a group housing colony on land measuring 20.31 acres in Sector-70, Faridabad. As per the records of the Authority 18 towers were to be constructed. As per information furnished by the

promoter occupation certificate in respect of 16 towers have been received and only two towers namely, Tower 1 and Tower 2 remain to be completed.

2. The Authority vide its order dated 07.04.2021 imposed cost of Rs. 50,000/- as no one was appearing on behalf of the respondents nor complying with the orders of the Authority.

3. On 16.01.2023 Sh. Rohan Gupta, Learned Counsel for respondent/promoter stated that they had received Occupation Certificate for Tower 1 & 2 on 06.01.2023.

4. Today,Manju Goyal Advocate appeared on behalf of the interveners i.e. DD Auto Pvt. Ltd. and Chandra Auto Engineers Pvt. Ltd. and stated that as per collaboration agreement the interveners were entitled to 10% share of built up area and they had already availed the civil remedy.It was also stated that the promoter has concealed the fact about the license that license has been granted in collaboration.

5. After perusal of record it has been found that all details are provided by the promoter at time of registration and as per collaboration agreement there is revenue sharing model and the developer is entitled to 99% and DD Township has 1% share.

6. After hearing arguments of counsel Authority rejects the application filed by intervener and suggests them to avail civil remedy as per law.

7. The Authority is of the view that registration was valid upto 31.12.2019 and Occupation Certificate for entire area received on 06.01.2023, therefore, Authority decides to grant one last opportunity for applying for extension for period between 31.12.2019 to 06.01.2023 within a period of 30 days failing which action under Section 61 r/w Section 63 of the Real Estate (Regulation & Development) Act, 2016 shall be initiated. The respondent is also directed to deposit cost of Rs. 50,000/- imposed vide order dated 07.04.2021.

8. Adjourned to **15.05.2023**.

Haryana Real Estate Regulatory Authority • Panchkula •
सत्यमेव जयते

.....
DR. GEETA RATHEE SINGH
[MEMBER]

.....
NADIM AKHTAR
[MEMBER]