

NON- COMPLIANCE OF CONDITIONS OF REGISTRATION CERTIFICATE HEARING BRIEF

S. No.	Particular	Details		
1.	Registration certificate no.	693/425/2023/37		
2.	Date of Registration	02.02.2023		
3.	Date of expiry of validity of registration	30.09.2027		
4.	Name of promoter	Ishv Realtors Private Limited		
5.	Name of project	Platina Street 109		
6.	Area of project	3.7187 acres		
7.	Nature of project	Commercial		
8.	Location of project	Sector-109, Gurugram		
9.	Suo-motu complaint no.	RERA-GRG-3860-2023		
10.	Status of compliance done by the promoter			
	Conditions	Compliance due date	Date of approval obtained on	Whether compliance done within time frame
	The promoter shall submit the revalidated building plans within 3 months	02.05.2023	-	Not submitted
	The promoter shall submit the approved service plans and estimate within 3 months	02.05.2023	-	Not submitted
	The promoter shall submit the fire scheme approval within 3 months	02.05.2023	-	Not submitted
	The promoter shall submit the road access permission within 3 months	02.05.2023	-	Not submitted

11.	Details of refundable security submitted by the promoter			
	Name of the bank	No. And date of refundable security	Amount	Submitted for
	RBL	Cheque no. 000036 dated 03.02.2023	25 lacs	Service plans and estimates
	RBL	Cheque no. 000036 dated 03.02.2023	25 lacs	Fire scheme
12.	File status		Date	
	Show cause notice sent on		21.08.2023	
	First hearing on		22.09.2023	
	Second hearing on		27.10.2023 (adjourned)	
	Third hearing on		10.11.2023 (adjourned)	
	Fourth hearing on		07.12.2023 (adjourned)	
13.	Case history Whereas an application for registration of the above real estate project under section 4 of the Real Estate (Regulation and Development) Act, 2016 was submitted to the Authority by Ishv Realtors Private Limited and after due consideration, the said real estate project was conditionally registered with the Haryana Real Estate Regulatory Authority Gurugram. Since the promoter failed to comply with the conditions mentioned in the registration certificate within the prescribed time, the Authority issued a show- cause notice dated 21.08.2023 as to why the registration certificate shall not be revoked and penal proceedings shall not be initiated against the promoter and an opportunity of hearing was offered on 22.09.2023. <u>Proceedings dated 22.09.2023</u> Ar. Neeraj Gautam (Associate Architectural Executive) briefed the facts of the case. None is present on behalf of the promoter. One final opportunity is granted for submitting the above compliance subject to the final decision of the Authority regarding delay in submission of compliance in terms of the registration certificate. Matter to come up on 27.10.2023 for further proceedings.			

On 27.10.2023, the matter was adjourned to 10.11.2023. On 10.11.2023, the matter was adjourned to 07.12.2023. On 07.12.2023 the matter was further adjourned to 15.12.2023.

(Ar. Neeraj Gautam)

Associate Architectural Executive

Day and date of hearing

Friday and 15.12.2023

Proceedings recorded by

Ram Niwas

Ar. Neeraj Gautam (Associate Architectural Executive) briefed the facts of the case.

Sh. Shankar Wig (Advocate) is present on behalf of the promoter.

The counsel of the promoter states that the RERA registration was granted for the project on 02.02.2023 with the condition to submit the revalidated building plans, approved service plans and estimates, approved fire scheme and road access permission within three months. Thereafter, the promoter applied for revision in building plans and in- principle approval of the same was obtained on 23.11.2023. Now, the promoter is fulfilling the compliance of the conditions of in- principle approval of revision of building plans. In absence of the revalidated and revised building plans, the promoter was not able to obtain the approvals of service plans and estimates and fire scheme. The counsel for the promoter requests 90 days' time to submit the compliance in the Authority.

Keeping in view the facts submitted by the promoter, the promoter is directed not to create any 3rd party rights in the project without obtaining the revised RERA registration certificate for the project. One more opportunity is granted for submission of compliance of the conditions mentioned in registration certificate subject to the final decision of the Authority regarding delay in submission of compliance in terms of the registration certificate.

Matter to come up on 19.01.2024.

(Ashok Sangwan)
Member, HARERA, Gurugram

