HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. (Suo-Motu) 1538 of 2023

HRERA, Panchkula ...COMPLAINANT

VERSUS

Landspect Builders & Developers LLP ....RESPONDENT

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

Date of Hearing: 28.08.2023

Hearing: 1st

Present: - Sh. Harsh Kumar Khatter, partner in the respondent/firm.

ORDER (NADIM AKHTAR- MEMBER)

Present suo-motu complaint was registered against the respondent promoter for changing the RERA bank account from the existing SBI Account number 41513530962 to new SBI Bank Account No. 41714885078 of project namely "Anushree Greens" - an Affordable Residential Plotted Colony on land measuring 8.06 acres situated in Sector-97, Faridabad registered vide Registration No. HRERA-PKL-FBD-421-2023 dated 02.03.2023 valid upto 24.01.2028.

2. A show cause notice dated 14.07.2023 under Section-35 of The RERA Act, 2016 was issued to the respondent promoter directing to furnish the following information:

   i. Why RERA Account has been changed without permission of Authority?

   ii. A statement of account of both the accounts supported by a CA certificate that the entire amount available in earlier account has been transferred in the new account.

3. The respondents vide reply dated 16.08.2023 has informed that at the time of registration a collection account (41513530962, State Bank Of India, Sector-21C Faridabad) was opened and after receiving the HRERA certificate the bank had opened a HRERA Collection account which they want to change for better accounting of the collection received from the prospective buyers of the proposed project.

4. As per CA certificate dated 04.08.2023 the details of the RERA bank accounts are as under:

BANK ACCOUNT NUMBER	BRANCH	IFSC	REMARKS
41513530962	State Bank Of India, Sector-21C Faridabad	SBIN0011555	Before License Previous Bank Account
41751544430	State Bank Of India, Sector-21C Faridabad	SBIN0011555	After License New Bank Account **ONE**
41714885078	State Bank Of India, Sector-21C Faridabad	SBIN0011555	After License New Bank Account **TWO**
41751640882	State Bank Of India, Sector-21C Faridabad	SBIN0011555	After License New Bank Account **THREE**

5. Further CA certificate certifies that "the total amount received against plot booking in Primary Account No. 41751544430 and not received any amount in previous current account no. 41513530962. Further, stating that all the transactions for "Anushree Greens" are routed through primary account 41751544430. The amount divided through RERA-A/c No. 41714885078 and 41751640882 under HRERA compliances in ratio 70:30".
6. The respondents have also submitted a certificate from State Bank of India, Sector-21C Faridabad certifying that all the transactions for "Anushree Greens" are routed through the Primary Account 41751544430. Further certifying that the promoter previously held a normal current account 41513530962 till the time RERA Account current was activated by the State Bank of India.
7. The promoter has also submitted the bank account statements of account 41751544430 from 15.03.2023 to 10.08.2023.
8. The respondent vide reply dated 28.08.2023 has stated that due to clerical error in the application dated 06.03.2023 for permission to change the RERA bank account, they have stated that the bank account has been changed of the project. The respondent has clarified that they have opened the RERA collection account on 15.05.2023 after submission of the request application dated 06.03.2023.

9. After consideration, Authority directs the respondent to get a public notice published in two leading newspapers (English and Hindi) informing about change of RERA Bank Accounts under intimation to the Authority before the next date of hearing.

10. Adjourned to **08.01.2024.**

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Dr. GEETA RATHEE SINGH
[MEMBER]

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NADIM AKHTAR
[MEMBER]