HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भूसंपदा विनियामक प्राधिकरण गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana नया पी.डब्ल्यू.डी. विश्राम गृह सिविल लाईंस गुरुग्रामए हरियाणा

NON- COMPLIANCE OF CONDITIONS OF REGISTRATION CERTIFICATE HEARING BRIEF

S. No.	Particular	Details
1.	Registration certificate no.	595/327/2022/70
2.	Date of Registration	25.07.2022
3.	Date of expiry of validity of registration	30.01.2026
4.	Name of promoter	M/s Skywhales Developers LLP
5.	Name of project	Vienna Greens
6.	Area of project	6.00625 Acres
7.	Nature of project	Residential Plotted Colony under DDJAY
8.	Location of project	Sector-99A, Gurugram
9.	Suo-motu complaint no.	RERA-GRG-7063-2022
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 approval of service plan & estimates within 3 months	23.10.2022	12.07.2023	Delay of 262 days
The promoter shall submit the approval of zoning plan within 3 months	23.10.2022	01.02.2023	Delay of 101 days
The promoter shall submit the approval electrical load availability connection within 2 months	23.09.2022	Not submitted	Not submitted
The promoter shall submit the powerline shifting NOC within 2 months	23.09.2022	Not submitted	Not submitted

11.	Details of refundable security submitted by the promoter			
	Name of the bank	No. and date of refundable security	Amount	Submitted for

	Union Bank	Cheque no. 572839 dated 22.07.2022	25 lakhs	Service plan estimates
	Union Bank	Cheque no. 572840 dated 22.07.2022	25 lakhs	Zoning plan

12.	File status	Date
	Show cause notice sent on	23.01.2023
	First reply received on	24.02.2023
	First hearing on	24.02.2023
	Second hearing on	17.03.2023
	Third hearing on	22.03.2024

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 **M/s Skywhales Developers LLP** 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 23.01.2023 as to why the registration certificate shall not be revoked, demand draft submitted by the promoter shall not be forfeited and penal proceedings shall not be initiated against the promoter and an opportunity of hearing was offered on 24.02.2023.

Proceedings dated 24-02-2023

No one is present on behalf of the promoter. Since the promoter has not complied with the conditions of registration certificate within stipulated time frame, therefore the demand drafts submitted by the promoter shall be forfeited for non-compliance of RC. Also, the promoter is directed to submit fresh cheques of Rs. 25 lakhs each against approval of service plan and estimates and approved zoning plan by 27-02-2023. Matter to come up on 17.03.2023.

Proceedings dated 22.03.2024

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

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Suo- motu complain no.	RERA-GRG-7063-2022

None is present on behalf of the promoter.

The matter be placed before the Authority in meeting scheduled on 08.04.2024.

As per the records of the Authority, the promoter has not submitted the security amount as directed by the Authority in its proceedings dated 24.02.2023.

(Ar. Neeraj Gautam)
Associate Architectural Executive

Day and date of hearing	Monday and 08.04.2024
Proceedings recorded by	Ram Niwas

Ar. Neeraj Gautam (Associate Architectural Executive) briefed the facts of the case.
None is present on behalf of the promoter.
Since the promoter has complied with the conditions mentioned in RC wherein approval of service plan and estimates, and zoning plan was required to be submitted, although with a delay. The security amount submitted in lieu of timely submission of the above-mentioned approvals already stands forfeited.
Keeping in view the above, the matter is disposed of.

(Sanjeev Kumar Arora)
Member, HARERA

(Ashok Sangwan)
Member, HARERA

(Vijay Kumar Goyal)
Member, HARERA

(Arun Kumar)
Chairman, HARERA