

**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.	<b>File status</b>	<b>Date</b>
	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)
	Fifth hearing on	15.12.2023
	Sixth hearing on	19.01.2023 (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.

Proceedings dated 22.09.2023

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.

Proceedings dated 15.12.2023

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 3<sup>rd</sup> 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.

On 19.01.2024, the matter was adjourned to 02.02.2024.

Further, the Authority decided in its meeting dated 01.01.2024 that the compliances by the promoters must be made without fail within the timeline of conditional registration failing which the BG/ security be forfeited and further action be initiated as per the provisions of the Act of 2016.

**(Ar. Neeraj Gautam)**

**Associate Architectural Executive**

**Day and date of hearing**

Friday and 02.02.2024

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

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

The AR of the promoter states that 'in principal' approval of the revised building plans has been received and the promoter shall submit the pending approvals to the Authority within one month. In the peculiar circumstances of the case, the matter may be placed before the Authority on 04.03.2024.

The restriction on creation of third-party rights shall continue meanwhile.

**(Ashok Sangwan)**

**Member, HARERA, Gurugram**