HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. (Suo-Motu) 2069 of 2023

HRERA, Panchkula ...COMPLAINANT

VERSUS

Omaxe World Street Private Limited ....RESPONDENT

CORAM:	**Parneet S Sachdev**	**Chairman**
	Dr. Geeta Rathee Singh	**Member**
	Chander Shekhar	**Member**

Date of Hearing: 10.04.2024

Hearing: 3rd

Present:- None on behalf of the respondent

ORDER (PARNEET S SACHDEV - CHAIRMAN)

Present suo-motu complaint was registered against the respondent promoter for changing the RERA bank account from the existing Yes Bank Account Number 1666300000092 to Kotak Mahindra Bank Account Number 3248470840 of a real estate project of a Commercial cum Residential Colony on land measuring

28384.54 sq. mtrs. situated in Village Bhatola Sector-79, Faridabad registered vide Registration No. 129 of 2017 dated 28.08.2017 valid upto 31.12.2027.

2. A show cause notice dated 21.09.2023 was issued under Section-35 of the RERA Act, 2016 as to why penalty under Section-61 of the RERD Act, 2016 be not imposed for changing the RERA account and obtaining loan without the permission of the Authority. The respondent was also directed to submit detail of balance amount in old account of Yes Bank and the new account in Kotak Mahindra Bank duly supported by CA Certificate.

3. The matter was last heard on 11.12.2023 when no one appeared nor any reply was filed. Therefore, Authority granted last opportunity to the respondent to comply with the orders of the Authority failing which Authority will be constrained to impose penalty U/s 61 read with Section 63 of the Act for contravention of the provisions of the Act and non-compliance of the orders of the Authority.

4. The respondent did not file any separate reply to the show cause notice however, in agenda matter the promoter filed its reply which was considered by the Authority in its meeting held on 18.12.2023 and following information was sought from the respondent:

i. Bank details of 100% and 70% amount in Axis Bank from 28.08.2017 till the date YES Bank accounts were opened.

ii. Bank details of 100% and 70% amount in YES bank till 14.07.2023.

iii. Bank details of 100% and 70% amount in Kotak Bank from 14.07.2023 till date.

iv. Since the project is multi-storeyed and has residential and commercial component (being mixed land use) therefore, the promoter should give FAR of both the components separately, loan taken on the said registered project and its letter of sanction.

5. The matter pertaining to change of bank account is still pending before the Authority, therefore this matter is being adjourned awaiting the outcome of said matter.

4. Adjourned to **03.07.2024.**

Chander Shekhar
Member

Dr. Geeta Rathee Singh
Member

Parneet S Sachdev
Chairman