HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1081 of 2020

HRERA, Panchkula ...COMPLAINANT

VERSUS

Parsvnath Developers Ltd. ....RESPONDENT

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

Date of Hearing: 20.03.2024

Hearing: 22nd

Present: - Sh. Sanjeev Jain Managing Director alongwith Adv. Shekhar Verma on behalf of Respondent.

ORDER (Parneet S Sachdev-Chairman)

This suo-motu complaint was registered in respect of registration no.132 of 2017 dated 28.08.2017 granted for a group housing project namely, "Parsvnath Preston", measuring 6.73 acres, which lapsed on 31.12.2019.

2. The Authority on 21.11.2023 had observed that the case relating to the extension of registration submitted on 18.11.2021 was placed before the Authority in its meeting held on 29.11.2021 wherein it was observed that *the item was withdrawn with the permission of the chair as the matter had already been considered by the Authority while hearing Suo motu complaints.* Further, the Authority vide its orders dated 29.11.2021 had already directed Sh. Sanjeev Jain, Managing Director of the company to submit a comprehensive action plan for development of the project and also the source from which funds will be arranged. It was also observed that further decision will be taken after furnishing of this information. The Authority had also directed the promoter to show cause as to why penalty proceedings U/s 60 and 61 read with Section 63 for contravention of the provisions of the Act and not complying with the orders of the Authority be not initiated.

3. Reply to the orders dated 21.11.2023 has not been filed by the respondent however, Adv. Rupali Verma appeared and apprised the Authority that Managing Director of the company could not come present before the Authority due to the ongoing Farmer Agitation. She further apprised the Authority that License of the present project is now renewed up to 15.10.2024, however, copy of the renewed license has not been submitted by her. She further averred that Building Plans of the present project have been revised and application for their approval is pending before DTCP since June, 2022 and the same have not been approved till date.

4. Since the application for extension of project has been filed by the respondent on 18.11.2021 and from 29.11.2021 (date of consideration of extension application by the Authority), the respondent has sought repeated adjournments. Therefore, the Authority on the last date of hearing i.e. 21.02.2024 had observed as follows:

a. A detailed reply explaining as to why the application for extension of project has not been pursued by the respondent since 2021, be submitted.

b. A copy of the application for revision of building plans filed before DTCP Haryana along with all the communications and present status of such application be submitted before the next date of hearing.

c. The respondent is directed to show cause as to why their project be not handed over to the association of allottees for not completing the project as per timelines declared by them in the registration certificate.

d. A copy of renewed license be submitted.

e. The Managing Director of the company be present in person on the next date of hearing along with all the necessary documents as directed by the Authority vide order dated 14.03.2022 failing which arrest warrants as per the provisions of the RERA Act,2016 will be issued against him for procuring his presence.

f. Since on the last date of hearing, the respondent was directed to show cause as to why penalty proceedings under section 60 and 61 read with section 63 of the RERA Act, 2016 be not initiated and even today, the Managing Director of the company is not present, therefore the Authority imposes a penalty of Rs. Eight lacs upon the respondent for violating the provisions of the Act, which should be deposited before the next date of hearing.

5. Today, Managing Director of the company alongwith Adv. Shekhar Verma is present before the Authority alongwith the reply. Adv Shekhar Verma informed that out of total 28 acres of land, 18 acres has been surrendered to Government,

4.10 acres has been transferred to the Government of Haryana for sector roads and they are planning to develop remaining 6.37 acres. The planning of the project has been changed and License of the colony has been renewed upto 05.10.2024 and zoning plan has also been approved by DTCP Haryana on 21.04.2023 however, the building plans are not being released because of EDC/IDC against other projects. The Authority posed a question to the counsel that whether consent of 2/3rd allottees has been taken at the time of revision of zoning? Further, the current status of the project stating the total no. of units sold and occupied by the allottees and remaining unsold units has also not been provided. Counsel for respondents alongwith Managing Director of the company assured that they will give a detailed comprehensive plan/commitment plan with respect to the above project and sought some time to file reply. On the request of counsel, Adjourned to **15.05.2024**.

Chander Shekhar	Dr. Geeta Rathee Singh	Nadim Akhtar	Parneet S Sachdev
Member	Member	Member	Chairman