

Brief of the project

SNo.	Particulars	Details
1.	Name of the project	Expressway Towers
2.	Name of the promotor	M/s Ocean Seven Buildtech Pvt. Ltd.
3.	Nature of the project	Affordable Group Housing colony
4.	Location of the project	Sector- 109, Gurugram.
5.	Legal capacity to act as a promoter	Collaborator
6.	Name of the license holder	Sh. Shree Bhagwan
7.	Name of the Collaborator	M/s Ocean Seven Buildtech Pvt. Ltd.
8.	Status of project	Ongoing
9.	Online Complaint ID	RERA-GRG-1087-2023
10.	QPR Compliance (If applicable)	Not Submitted
11.	4(2)(l)(d) Compliance (If applicable)	Not Submitted
12.	License no.	06 of 2016 dated 16.06.2016 valid up to 15.06.2021.(Expired)
13.	Total licensed area	7.5 Acres
14.	RERA Registration Number	301 of 2017 dated 13.10.2017 valid up to 12.04.2022(Including 6 months Covid extension) Lapsed
15.	File Status	Date
	Suspension of License by DTCP	23.02.2023 (Authority receiving - 24.02.2023)
	First Order passed by Authority including freezing of accounts	24.02.2023
	First show cause notice	02.03.2023
	Letter from STP to DC, Gurugram. (Copy endorsed to HARERA, Gurugram)	03.03.2023 (Authority receiving - 09.03.2023)
	First hearing on	03.04.2023
	Second hearing on	24.04.2023
	Notice to directors & CFO	04.05.2023
	Third hearing on	15.05.2023
	Documents Submitted on	15.05.2023



	Fourth hearing on	05.06.2023
	Fifth hearing on	07.06.2023
	Sixth hearing on	26.06.2023
	Documents submitted on	10.07.2023
	Seventh hearing on	10.07.2023
	Eighth hearing on	14.08.2023
	Ninth hearing on	21.08.2023
	Tenth hearing on	11.09.2023
	Eleventh hearing on	25.09.2023
	Documents Submitted on	25.09.2023
	Twelfth hearing on	16.10.2023
	Thirteenth hearing on	20.11.2023
	Documents submitted on	20.11.2023
	Fourteenth hearing on	11.12.2023
	Documents submitted on	11.12.2023
	Documents submitted on	19.12.2023
	Fifteenth hearing on	08.01.2024
	Sixteenth hearing on	19.02.2024
	Seventeenth hearing on	26.02.2024
	Eighteenth hearing on	18.03.2024
	Nineteenth hearing on	08.04.2024
	Twentieth hearing on	29.04.2024
	Twenty-one hearing on	20.05.2024
	Documents submitted on	20.05.2024
	Twenty-two hearing on	08.07.2024
	Documents submitted on	07.08.2024
16.	Case History: It has come to the notice of the Authority through a publication of Times of India dated 07.02.2023 that a group of home buyers of the project named "Expressway tower" located at sector - 109, Gurugram being developed by M/s Ocean seven Buildtech Pvt. Ltd. met the Senior Town Planner, Gurugram on 06.02.2023 and demanded action against the developer for delay in the completion of the project. The promoter has not submitted the QPR and annual audit report under section 4(2)(l)(d) in the Authority till date for the above-mentioned project till date. An Suo motu cognizance of the project is started by the Authority on 23.02.2023 and DTCP had also suspended the license no 06 of 2016 dated 16.06.2016 on 23.02.2023. An order had been passed by the Authority vide no. HARERA/GGM/189/2017/IR/301/ Suo motu dated 24.02.2023 for freezing of accounts and to conduct the forensic audit of the project also. A show cause notice was issued to the promoter vide no HARERA/GGM/189/2017/IR/301/ Show cause dated 02.03.2023.	

No reply has been received by the promoter till 31.03.2023 in the Authority.

Proceedings dated 03.04.2023.

None is present on behalf of the promoter. A show cause notice vide no HARERA/GGM/189/2017/IR/301/show cause dated 02.03.2023 was served on the respondent on 03.03.2023 to appear today. Neither the respondent has appeared nor has any reply been submitted. In view of the above, it is decided that a public notice may be issued in two newspaper(One in Hindi & one in English respectively) in public interest, to inform the allottees regarding the proceedings & also direct the respondent to appear before the authority on 24.04.2023 failing which registration no HARERA/GGM/189/2017/IR/301 may be revoked in addition to the penalties and consequences as prescribed in the Real Estate (Regulation and Development) Act, 2016 and Haryana Real Estate (Regulation and Development) Rules, 2017. The cost of the public notice is to be borne by the promoter.

A public notice was issued in the two newspapers namely “The Tribune” dated 19.04.2023 and “Dainik Jagran” dated 20.04.2023.

No reply has been received by the promoter till 20.04.2023 in the Authority.

Proceedings dated 24.04.2023.

None is present on behalf of the promoter despite service of the notice through personal delivery and publication of the notice in newspaper. The report of forensic auditor is also not yet received and hence reminder to the auditor for early submission of report be also issued along with status of freezing of bank account from the concerned bank by the concerned Engineering Executive. Since neither the promoter is putting in appearance nor any reply has been filed till date and the authority is in receipt of about 100 complaints against the promoter for not adhering to the schedule of construction and hence Authority decides to issue a notice under section 35 to the directors of the company as well as CFO for put in appearance along with the following records on 15.05.2023 at 2.00 PM –

- i) the details of the units allotted along with the amount realised against each unit and date of allotment with name and address of allottee.
- ii) The expenditure incurred on the construction, development works till date duly verified by Chartered Accountant, Chartered Engineer and Architect of the project.
- iii) The schedule of completing the remaining construction work
- iv) Quarterly Progress Report and Annual Audited Accounts report in terms of section 4(2)(l)(D) of the Act.
- v) Details of charges on the project of any Bank or NBFC.

The attention of the promoter be drawn towards section 63 of the Act read with section 40(2) of the Act. The concerned official is to ensure issuance of requisite notice through the Secretary within three days.

Notice to directors i.e., Sh. Swaraj Singh Yadav , Sh. Naveen Kumar Jha and CFO had been issued on 04.05.2023 and bank is also directed to remain present on 15.05.2023 alongwith the status of all the bank accounts of the projects mentioned in the orders and annual statement of each account.

No reply has been received by the promoter till 10.05.2023 in the Authority.

Proceedings dated 15.05.2023.

Sh. Sanjeev Kumar(CEO, M/s Ocean Seven Buildtech Pvt. Ltd.) on behalf of the promoter and Sh. Shubham Grover(Deputy Manager- Axis Bank, Sec-49, Gurugram) on behalf of the Axis bank are present.

Sh Sanjeev kumar CEO of the company states that reply has been submitted today itself. He further undertook to provide all requisite documents in the Authority and to the forensic auditor also within one week. Sh. Shubham Grover (Deputy Manager- Axis Bank, Sec-49, Gurugram) shall submit the detail of each withdrawal along with relevant certificates duly verified by Chartered Accountant, Chartered Engineer and Architect of the project since the inception of the account till date and balance in all accounts on the date of freezing of accounts and shall supply a complete detail also within one week. Reply submitted by the promoter company be examined. The matter to come up on 05.06.2023.

Documents submitted on 15.05.2023.

1. Details of the units along with the amount realized against each unit and date of allotment with name.
2. Schedule of completion of remaining construction work of the project in which April 24 is the last date of completion.

Proceedings dated 05.06.2023.

Coram is not complete. The matter is placed before the authority and as per the directions of authority the matter is adjourned to 07.06.2023.

Proceedings dated 07.06.2023.

Sh. Shubham Grover, Dy. Manager, Axis Bank, Sector 49, Sohna Road, Gurugram is present on behalf of the Bank and is filing complete statement of Bank Account (since opening of the account till 06.06.2023) of the project Express Way Towers of M/s Ocean Seven Buildtech Pvt. Ltd. and further states that they need two weeks' time to file detail of each withdrawal along with relevant certificates duly verified by Chartered Accountant, Chartered Engineer and Architect of the project since the inception of the account till date, as per directions of the Authority dated 15.05.2023.

None is present on behalf of M/s Ocean Seven Buildtech Pvt. Ltd., however, partial reply w.r.t. direction of the Authority dated 24.04.2023 has been filed on 15.05.2023 by them. They are further directed to file the complete reply and directors of the company are hereby directed to be personally present on the next date of hearing.

The matter to come up on 26.06.2023.

Proceedings dated 26.06.2023.

Sh. Shashank Sharma, Associate Engineer Executive briefed about the facts of the project. None from the promoters as well as the Bank is present. A show cause notice be issued to Bank as well as the promoter as to why penalty under section 63 of the Act, 2016 should not be imposed for violations of the directions of the Authority. Ms. Prachi Singh, Planning Executive is directed to visit the site and update the construction status of the project before the next date of hearing.

The matter to come up on 10.07.2023.

A show cause notice vide no HARERA/GGM/189/2017/IR/301/Showcause dated 28.06.2023 has been issued to Axis bank and directors both against which no reply has been submitted in the Authority till 06.07.2023.

As per the site visit done on 05.07.2023, it is found that 50-60 labours are working on the site and mainly POP work, Tile work, Boundary wall work and landscaping work has been started by the promoter on the site. As per Sh. Amit Saroha, Project manager the work was again resumed on 05.06.2023 only. However, the work progress of the project is very slow. As per the previous site visit dated 16.02.2023, work progress of the project was approximately 52-57% only.

Proceedings dated 10.07.2023.

Sh. Shashank Sharma, Associate Engineer Executive briefed about the facts of the project. Sh. Sanjeev Kumar(CEO, M/s Ocean Seven Buildtech Pvt. Ltd.) is present on behalf of the promoter and Sh. Satish Kumar Sharma (Advocate) along with Sh. Ashish Prasad(Deputy Manager- Axis Bank) and Sh. Shubham Grover (Deputy Manager- Axis Bank) are present on behalf of the Axis bank.

Sh Sanjeev kumar CEO of the company states that reply has been submitted today itself in the Authority and will submit all the desired documents to forensic auditor within a week and bank representatives states that as bank has to collect the data from their backend department so, the bank needs some time to collect details of each withdrawal along with relevant certificates of Chartered Accountant, Chartered Engineer and Architect of the project since the inception of the account till date.

The matter to come up on 14.08.2023.

Documents submitted on 10.07.2023.

Reply to show cause notice dated HARERA/GGM/189/2017/IR/301/Show cause dated 28.06.2023 wherein the promoter stated that there is no charge on the project of any bank and QPR and annual audited accounts u/s 4(2)(l)(d) will be submitted as soon as possible. The expenditure incurred on the construction, development works, till date are enclosed in the file.

Proceedings dated 14.08.2023.

As the coram is not complete on 14.08.2023, so the matter is deferred to 21.08.2023.

Proceedings dated 21.08.2023.

Sh. Shashank Sharma, Associate Engineer Executive briefed about the facts of the project. None is present on behalf of M/s Ocean Seven Buildtech Pvt. Ltd. and Sh. Ashish Prasad(Deputy Manager- Axis Bank) and Sh. Shubham Grover (Deputy Manager- Axis Bank) are present on behalf of the Axis bank and states that they need two weeks time to file detail of each withdrawal along with relevant certificates. One last final opportunity is granted to Axis bank to produce the documents of each withdrawal duly verified by Chartered Accountant, Chartered Engineer and Architect of the project since the inception of the account till date within 15 days. Promoters are directed to file a CA certificate with respect to no charge of any bank on project & penal proceedings for non-filing of QPR and 4(2)(l)(d) be initiated separately.

Further, none is present on behalf of M/s Ocean Seven Buildtech Pvt. Ltd and are not submitting the requisite documents in the Authority and to the forensic Auditor as well so, the Authority hereby decides to issue a show cause notice to M/s Ocean Seven Buildtech Pvt. Ltd. as to why penalty of Rs 10 lakhs be not imposed u/s 63 of the Act of 2016 for not submitting the requisite documents in the Authority.

The matter to come up on 11.09.2023 for further proceedings.

A show cause notice vide no HARERA/GGM/189/2017/IR/301/Show cause/2 dated 04.09.2023 has been issued to directors.

Proceedings dated 11.09.2023.

Sh. Shashank Sharma, Associate Engineer Executive briefed about the facts of the project. Sh. Sanjeev Kumar (CEO, M/s Ocean Seven Buildtech Pvt. Ltd.) is present on behalf of the promoter and Sh. Ashish Prasad (Deputy Manager- Axis Bank) and Sh. Sh. Shatish Kumar Sharma (Advocate) are present on behalf of the Axis bank.

The Advocate on behalf of the Axis Bank is submitting the details of withdrawals i.e., CA Certificate in the registry today itself. The office to scrutinize the same.

The Authority observed that the bank officials are taking the matter very casually. No withdrawal should be made without certificate from the CA, Engineer and Architect. The matter be referred to the higher authorities of the bank. The Bank authorities are directed to allow withdrawal only after receiving certificate of the CA, Engineer and Architect and to submit reply project-wise within one week in the Authority.

The AR of the promoter submits that there is no loan or lien on the above project from any financial institution. Hence the AR of promoter is directed to submit an affidavit and CA certificate to the effect that there is no loan/charge of any kind on this project. The promoter is also directed to submit the reply within one week in the Authority.

The matter to come up on 25.09.2023.

As per the directions of Authority, site visit was done on 20.09.2023, it is found that 10-20 labours are working on the site and mainly POP work, Tile work, was going on and landscaping work has been started by the promoter on the site. However, the work progress of the project is very slow. As there is no substantial progress at the site, so the work progress of the project is approximately 52-57 percent only.

Proceedings dated 25.09.2023.

Sh. Shashank Sharma, Associate Engineer Executive briefed about the facts of the project.

Sh. Sanjeev Kumar(CEO, M/s Ocean Seven Buildtech Pvt. Ltd.) is present on behalf of the promoter and Sh. Satish Kumar Sharma (Advocate) along with Sh. Ashish Prasad(Deputy Manager- Axis Bank) are present on behalf of the Axis bank, Sh. Harshit Batra, Advocate is present on behalf of Buyers Association.

The AR of the promoter submits that they have submitted the requisite documents to forensic auditor including the tally data and will submit the CA certificate having UDIN no.to the effect that there is no loan/charge of any kind on this project.

The Advocate on behalf of the Axis Bank is submitting the details of withdrawals i.e., Engineer's Certificate only in the registry within next 3-4 days and further stated that the bank does not have any withdrawal certificates before 01.01.2022 and hence bank will not be able to produce the same in future.

Sh. Harshit Batra, Advocate is present on behalf of Buyers Association and states that work progress at the site is very slow and DTCP has already passed the orders for getting conducted the structural audit through DC, Gurugram and forensic audit may be done by RERA. A copy of the order shall be supplied. A forensic auditor had been appointed by the Authority dated 31.03.2023 to conduct the forensic audit of the above-mentioned project.

Keeping in view of the above, the Authority decided that a show cause notice be issued to Axis Bank for violations of the section 4(2)(1)(d) of the Act and further, forensic auditor is directed to submit the report within 10 days in respect of above-mentioned project for which details have been supplied by the promoter as stated by the CEO.

The matter to come up on 16.10.2023.

Documents submitted on 25.09.2023.

The bank has submitted the reply to show cause notice dated 28.06.2023 wherein bank stated that there are no certificates available with the bank and builder never submitted the same to the bank. So, bank has not done any violations of the Act of 2016. Further bank has submitted the CA certificate and Engineer certificate only during the period from 01.01.2022 to 31.03.2023.

Forensic auditor has been informed through email dated 29.09.2023 to submit the forensic audit report.

A notice dated 13.10.2023 has been issued to the Nodal officer of Axis bank to take strict action against the officials of Axis Bank, Sec-49, Gurugram.

Proceedings dated 16.10.2023.

Sh. Shashank Sharma, Associate Engineer Executive briefed about the facts of the project. Sh. Harshit Batra, Advocate Smt. Archana (Allotee), Sh. Parveen Kumar (Allotee) are present on behalf of Buyers Association and Sh. Sh. Satish Kumar Sharma (Advocate) is present on behalf of Axis bank and none is present on behalf of promoter, however an email has been received from the promoter for short adjournment as he will not be able to attend the meeting due to family funeral in emergency.

Sh. Satish Kumar Sharma (Advocate) present on behalf of Axis bank request regarding the discharge from this case as bank has submitted their reply but the bank is advised to remain present in the hearings.

Sh. Harshit Batra, Advocate (Buyers Association) states that RWA has been constituted with the majority of allottees and list of the same will be submitted to the Authority within next 2-3 days and further states that promoter should be penalised u/s 63 of the Act, 2016 and to initiate action u/s 8 for taking over and completion of project. The counsel of the buyer's association further requested for the copy of the forensic audit report.

Keeping in view of the above, the Authority decided that a copy of forensic audit report once it is submitted can be obtained by the counsel of buyer's association after submitting the application for the same in the registry. The reply received from the Axis bank found not satisfactory and the notice to the Nodal officer of the Axis bank, Sector-49, Gurugram has also been issued to take strict action against the officials of Axis bank, Sector-49, Gurugram for not following the provisions of the Act of 2016 and notice should also be issued to the Axis bank, Sector-49, Gurugram as why your bank should not be blacklisted for not following the provisions of the Act of 2016 and the rules thereunder.

The matter to come up on 20.11.2023.

Proceedings dated 20.11.2023.

Sh. Shashank Sharma, Associate Engineer Executive briefed about the facts of the project.

Sh. Sanjeev Kumar (CEO, M/s Ocean Seven Buildtech Pvt. Ltd.) is present on behalf of the promoter and Sh. Sh. Satish Kumar Sharma (Advocate) is present on behalf of the Axis bank.

Preliminary status report has been submitted by the forensic Auditor through email dated 20.11.2023 in the Authority and to submit the final forensic audit report which is still awaited needs further 15-20 days more time.

The AR of the promoter states that resolution plan to complete the remaining project had been submitted in the DTCP.

In view of the above, Authority directed the AR of the promoter to submit the same resolution plan to complete the remaining project in the Authority as well within a week.

The matter to come up on 11.12.2023.

Documents submitted on 20.11.2023.

M/s GSA Associates has submitted the brief report wherein they stated that the as per the statement of Mr. Sanjeev kumar and Mr. Ramesh tally data provided was incorreced and cannot be relied upon and complete excel sheet will be provided which will be helpful in reviewing how the money has been utilised as a backup and forensic auditor further stated that unless and until all the information are received, they will not re-commence the audit work.

Proceedings dated 11.12.2023.

Sh. Shashank Sharma, Associate Engineer Executive briefed about the facts of the project.

Sh. Sanjeev Kumar (CEO, M/s Ocean Seven Buildtech Pvt. Ltd.) is present on behalf of the promoter and Sh. Sh. Shatish Kumar Sharma (Advocate) is present on behalf of the Axis bank and Sh. Harshit Batra, Advocate is present on behalf of Buyers Association.

Sh. Satish Kumar Sharma (Advocate) present on behalf of Axis bank states that there are only few certificates available with the bank and rest of the certificates had not been submitted by the builder to the bank and no violations has been done by the bank.

Sh. Harshit Batra, Advocate (Buyers Association) states that there is a delay in submitting of final forensic audit report by the forensic auditor and the allottees have paid almost all the instalments to the promoter. However, the promoter is submitting documents to the DGTCP, Haryana stating that dues are also pending against the allottees.

The AR of the promoter states that resolution plan to complete the remaining project is being submitted today in the registry of the Authority and the tally data which was incorreced is being prepared in the excel sheet and will be submitted in next one month to the Authority and forensic auditor.

Keeping in view of the above, the Authority decided that promoter should submit the final data to the Authority and forensic auditor within 15 days and the forensic audit should be completed within a time frame of 30 days. Further, a copy of resolution plan to complete the project shall also be supplied to Sh. Harshit Batra, Advocate(Buyers Association) by the promoter.

The matter to come up on 08.01.2024.

Documents submitted on 11.12.2023.

The promoter has requested for some time to complete the master sheet so that proper data can be provided to forensic auditor to conduct the forensic audit. Further , PERT chart has been submitted by the promoter to complete the project in which last date to complete the project is 28.09.2024.

A show-cause notice dated 12.12.2023 had been issued to Axis bank, Sec -49, Gurugram as why your bank should not be blacklisted for not following the provisions of the Act of 2016 and to remain present on next date of hearing i.e., 08.01.2024.

Documents submitted on 19.12.2023 by higher officials of Axis bank .

A letter had been received from Sh. Tej Singh Nathawat (Vice President) against the notice dated 13.10.2023 wherein he stated that the case had been transferred to their Internal Investigation Team and based on their findings, suitable action shall be initiated against the erring officials.

Proceedings dated 08.01.2024.

Sh. Shashank Sharma, Associate Engineer Executive briefed about the facts of the project.

Sh. Sanjeev Kumar (CEO, M/s Ocean Seven Buildtech Pvt. Ltd.) is present on behalf of the promoter and Sh. Sh. Shatish Kumar Sharma (Advocate) is present on behalf of the Axis bank and Sh. Harshit Batra, Advocate is present on behalf of Buyers Association.

The AR of the promoter states that resolution plan to complete the project was submitted to the Authority and buyer's association on 11.12.2023. It is decided that the resolution plan may be got examined from the National Institute of Financial Management(NIFM), Faridabad and shall be requested to conduct a techno-economic feasibility of the project separately and submit a report within a period of one month. The cost of carrying out the techno-economic feasibility report shall be borne by the promoter. So far as the progress of forensic audit is concerned, the AR of the promoter stated that the master data sheet upto the financial year 2021-22 has been completed and for the year 2022-23 shall be completed within a period of 10 days and comprehensive master data sheet shall be handed over to the financial auditor within a period of 10 days. The forensic auditor shall therefore submit his final report within a period of three weeks.

The counsel for the buyer's association stated that the buyer's association was seeking directions u/s 8 from the Authority. It is explained to the complainant that proceedings u/s 8 can only be invoked/initiated after revocation of registration u/s 7.

It was also the view of the Authority that intention should be to complete the project in the interest of allottees within a specific timeline for which present action being taken are necessary.

The matter to come up on 19.02.2024.

Proceedings dated 19.02.2024.

Sh. Shashank Sharma, Associate Engineer Executive briefed about the facts of the project.

Shri Sanjeev Kumar (AR) is present on behalf of the company and Sh. Satish Kumar, Advocate is present on behalf of Axis bank and Sh. Harshit Batra, Advocate is present on behalf of Buyers Association.

The promoter is directed to submit the certificate from approved valuer/Chartered Engineer with respect to the balance amount to be spent on the project to complete it

as per the approved plans and a certified copy of the receivable from the allottees as on date duly certified by Chartered Accountant and also to update about the arrangement of resources for completion of the project from the bankers or third party along with detailed terms and conditions of the same. The Promoter/Director to be present on the next date of hearing. The forensic audit already assigned to the Chartered Accountant should be got concluded and the report should be submitted within 2 weeks.

The matter to come up on 26.02.2024.

Proceedings dated 26.02.2024.

Sh. Shashank Sharma, Associate Engineer Executive briefed about the facts of the project. Sh. Swaraj Singh Yadav(Director), Shri Sanjeev Kumar (AR) are present on behalf of the company and Sh. Harshit Batra, Advocate is present on behalf of Buyers Association. The director of the company stated that near about 20-25cr is required to complete the project and also requested for de-freezing of accounts so that the project can be completed. Further, the director of the company requested to allow the 3rd party rights of the commercial component of the project so that the funds collected from the commercial can be used to complete the project.

Keeping in view of the above, the Authority decided that restructural plan should be submitted by the promoter in consultation with the allottees for which it was decided that a meeting would be held between the promoter and the allottees on 03.03.2024 at 11.00am in the premises of the project. Representatives of this Authority would also be present during the meeting. Further, promoter is directed to submit a certified copy of the receivable from the allottees as on date in a tabular form as per the format provided during the proceedings duly certified by Chartered Accountant along with the separate details of cancellation done and refund given to the allottees.

The matter to come up on 18.03.2023.

As per the directions of the Authority, a team consists of Sh. Sumeet(EO), Sh. Shashank Sharma(AEE), Sh. Ramesh Kumar(IO) and Sh. Dhanjay(PRO) visited the site i.e., Expressway Towers, Sector-109, Gurugram on 03.03.2024 at 11.00am and the joint proposal/plan discussed in the meeting has been put up on file.

Proceedings dated 18.03.2024.

Sh. Shashank Sharma, Associate Engineer Executive briefed about the facts of the project.

Sh. Swaraj Singh Yadav(Director) is present on behalf of the company and Sh. Harshit Batra, Advocate is present on behalf of Buyers Association.

The buyers Association stated that as the license is suspended but there are no restrictions for carrying out the work at site. Therefore, builder is required to commence the construction. Further, Buyer's association is submitting the minutes of the meeting dated 06.03.2024 today in the registry for completion of the project.

The director of the company stated that as the license is suspended and accounts are frozen as per the directives by Director, Town and Country Planning Department, Haryana, the promoter is in the process of resolving issues with respect to the project raised by DTCP, Haryana and trying to get the orders of suspension of license revoked. The Director requests for 15 days' time so that grievances can be resolved and order of revocation of suspension of license can be presented before the Authority.



Keeping in view of the above, the Authority decided that promoter shall submit the status of license from DTCP, Haryana before the next date of hearing and shall start the construction by infusing their own funds with requisite approvals. The office to put up the minutes of meeting dated 06.03.2024 which is being submitted today by Buyers Association.

The matter to come up on 08.04.2024.

Proceedings dated 08.04.2024.

Sh. Shashank Sharma, Associate Engineer Executive briefed about the facts of the project.

Sh. Arun Yadav (Advocate) is present on behalf of the company and Sh. Harshit Batra, Advocate is present on behalf of Buyers Association.

The advocate present on behalf of the promoter stated that near about 60-65 numbers of labours are working on the site, and after 15.04.2024 near about 200 labours will be working on the site. Further, promoter is in process of getting the orders of suspension of license revoked by DGTCP, Haryana within next 15 days.

The buyers association stated that as per the site visit done by them only 20 number of labours are working on the site and still the notices of defamation are not withdrawn by the promoter. Further, promoter is not sending the statement of accounts of individuals after so many follow-ups and near about 100 BBA's are still pending which is to be executed by the promoter.

Keeping in view of the above, the Authority directed the promoter to submit the complete list of allottees along with address, email id, contact no and amount received from them and balance amount yet to be received. Further, the promoter shall submit the statement of accounts of individual allottees through email within 15 days. The advocate present on behalf of the promoter stated that the defamation notices issued to the allottees shall be withdrawn by the promoter within 7 days.

The promoter shall submit the complete records to the forensic auditor so that forensic audit of the project can be completed. The concerned official is also directed to visit the site after 15.04.2024 to update the construction status of the project.

The matter to come up on 29.04.2024.

As per the directions of Authority, site visit was done on 24.04.2024, it is found that 100-120 labours are working on the site and mainly doing the Paint work, Door frame work, Railing work and tile work. The promoter is doing the work as per the plan shared.

Proceedings dated 29.04.2024.

Sh. Shashank Sharma, Associate Engineer Executive briefed about the facts of the project.

Shri Sanjeev Kumar (CEO) is present on behalf of the company and Sh. Harshit Batra, Advocate is present on behalf of Buyers Association.

The buyer's association stated that as per the site visit done by them, progress at the site is very slow and only a few labours are working on the site and even the notices of defamation are not withdrawn by the promoter despite the undertaking given in the earlier hearing. Further, promoter is not sending the statement of accounts of individuals after so many follow-ups.

Shri Sanjeev Kumar (CEO) present on behalf of the promoter stated that work progress at the site is as per the schedule given and labour will be increased after 15.06.2024. A joint meeting between promoter and allottees will be organized on 12.05.2024 to review the progress as per the schedule given and further next 45 days detailed plan will also be shared. Further, the promoter is in process of getting the suspension of license revoked by DGTCP, Haryana as the promoter is mortgaging the commercial component of the project namely "Golf Heights" located at sec -69 and the commercial component of the project namely "The Venetian" located at sec- 70 in lieu of pending EDC of Rs 30 cr. Regarding defamation notices issued to the allottees, the same shall be withdrawn by the promoter within 7 days. The CEO further stated that they will supply the complete information to the forensic auditor so that the same may be completed within next 45 days.

Keeping in view of the above, the Authority directed the promoter to submit the complete list of allottees along with address, email id, contact no and amount received from them and balance amount yet to be received. Further, the promoter shall submit the statement of accounts to individual allottees through email and details of the bills spent on the site in last 3 months within 7 days. Further, the promoter is directed to submit a concrete plan of action of next 45 days and submit the complete records to the forensic auditor so that forensic audit of the project can be completed within 45 days.

The matter to come up on 20.05.2024.

Documents submitted on 29.04.2024 by Buyers association.

The buyers association has submitted an application dated 29.04.2024 in the Authority, wherein they stated that, SOA's are still not being sent to the allottees and builder has not complied to the order of taking back the Defamation notices. Further, some cracks are being developed in the units also which needs attention.

The buyers association further requested to initiate an FIR against the builder for the lapses and handover the project to any builder or NBCC with consultation of state government and MOHUA.

Proceedings dated 20.05.2024.

Sh. Shashank Sharma, Associate Engineer Executive briefed about the facts of the project.

Sh. Swaraj Singh Yadav(Director) , Shri Sanjeev Kumar (CEO) and Sh. Ishu are present on behalf of the company and Sh. Ajay Dhalla, Sh. Pravin Srivastava, Sh. Anmol Mongia , Sh. Abhishek Gaur and Sh. Shashi Saxena are present on behalf of Buyers Association. The allottees present on behalf of buyer's association stated that as per the site visit on regular basis, progress at the site is slow. Further, the promoter is not sending the statement of accounts and defamation notices are also not yet withdrawn by the promoter as was assured during previous hearings.

The director of the company stated that near about 80-90 labours are working on the site, and they are working as per the schedule and all finishing works including fixing of tiles, water tank, paint work door framework etc and will be completed by Feb 25 which have already been commenced at site. Further, they are in process of getting the orders of suspension of license revoked by DGTCP, Haryana within next 15-20 days as

the requisite compliances have been made before DTCP for renewal of license. The company will submit the complete records to the forensic auditor by 15.06.2024. Keeping in view of the above, the Authority decided that the promoter shall submit the renewed license from DTCP, Haryana before the next date of hearing. The promoter is further directed to submit the complete updated list of allottees along with address, email id, contact no, status of BBA execution, amount received from them and balance amount yet to be received which the promoter has not submitted in spite of commitment. Further, the promoter shall submit the statement of accounts to all the individual allottees through email. The promoter shall also share the complete plan of action with the allottees within 2 days and shall complete the work as per the schedule. The promoter is also directed not to cancel any unit /apartment of the allottee in the project till the final decision of the authority in the matter.

The matter to come up on 08.07.2024.

Documents submitted on 20.05.2024 by Buyers association.

The buyers association has submitted an application dated 29.04.2024 in the Authority, wherein they raised certain issues such as failure to organize buyer's meeting, confusion regarding EDC dues, availability of construction plan, sharing of progress report, HARERA registration, defamation letter withdrawal, forensic audit status etc.

Proceedings dated 08.07.2024.

Sh. Shashank Sharma, Associate Engineer Executive briefed about the facts of the project.

Sh. Swaraj Singh Yadav(Director) , Shri Sanjeev Kumar (CEO) and Sh. Ishu are present on behalf of the company and Smt. Archana, Sh. Jagdeep Katyal, Smt. Shashi Saxena are present on behalf of Buyers Association.

The allottees present on behalf of buyer's association stated that as per the site visit done by some allottees , progress at the site is not satisfactory and promoter is also not sharing the list of expenditure done at the site. Further, allottees present stated that, the promoter has not shared the statement of accounts with the allottees. The AR of the promoter submitted a leisure of all allottees of the project with the Authority as well as counsel of the complainants during the course of proceedings.


The director of the company stated that near about 70-80 labours are working on the site, and they are working as per the schedule and near about Rs 3-4 cr has been spent at the site and they are trying to complete the remaining work of the project by Feb 25. Further, they are in process of getting the orders of suspension of license revoked by DGTCP, Haryana within next 08-10 days as the requisite compliances have been made before DTCP for renewal of license.

Keeping in view of the above, the Authority decided that the promoter shall submit the renewed license from DTCP, Haryana before the next date of hearing. Further, the interim order dated 24.02.2023 and 20.05.2024 passed by this Authority regarding restraining the promoter from creating any third-party rights in respect of unsold units, other assets and regarding restraining the promoter from cancellation of unit/apartment shall remain continue till further orders.

The matter to come up on 23.08.2024 at 3PM.

Documents submitted on 07.08.2024 by Buyers association.

The buyers association has submitted an application dated 29.04.2024 in the Authority, wherein they raised certain issues such as Builder's Commitment, Builder's Proposed Solution, Failure to Organise Buyer's Meeting at site, Sale Proceeds, Previous Liabilities, Project Monitoring Committee, Unable to meet promised commitments, Expenditure Details, Sharing of Progress Report, Availability of Construction Plan etc. and the matter has been put up on file also.


(Shashank Sharma)
Associate Engineer Executive

Day and Date

Friday, 23.08.2024

Respondent

M/s Ocean Seven Buildtech Pvt. Ltd.

Proceedings of the day

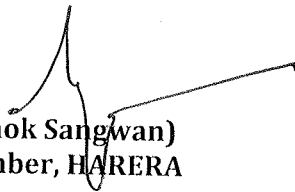
Sh. Shashank Sharma, Associate Engineer Executive briefed about the facts of the project. Sh. Swaraj Singh Yadav(Director) , Shri Sanjeev Kumar (CEO) and Sh. Ishu are present on behalf of the company and Sh. Rajesh, Sh. Jagdeep and Sh. Shashi Saxena are present on behalf of Buyers Association.

The allottees present on behalf of buyer's association stated that progress at the site is slow as 50-60 labours are working only at the site. Further the promoter is failed to organise the meeting at site and not sharing the details of progress at the site.


The director of the company stated that they are trying to complete the project by infusing their own limited funds. They are working as per the schedule and all finishing works including fixing of tiles, paint work ,door framework etc and lift work will be completed by February 2025 which have already been commenced at site. The director further stated that they will submit the records to forensic auditor within 2 weeks time and further requested to allow the sale/mortgage of commercial component of the project to some financial institution so that fund receive can be used to complete the project. Further, they are in process of getting the orders of suspension of license revoked by DGTCP, Haryana within next 15-20 days as the requisite compliances have been made before DTCP for renewal of license.

Keeping in view of the above, the Authority decided that the promoter shall submit the renewed license from DTCP, Haryana before the next date of hearing. Further, if the promoter has any interested party for sale of commercial component of the said project, the proposal shall be submitted to the Authority.

The matter to come up on 21.10.2024.


(Ashok Sangwan)
Member, HARERA


(Vijay Kumar Goyal)
Member, HARERA


(Arun Kumar)
Chairman, HARERA