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:	**Nadim Akhtar**	**Member**
	Dr. Geeta Rathee Singh	**Member**
	Chander Shekhar	**Member**

Date of Hearing: 03.07.2024

Hearing: 4th

Present:- None on behalf of the respondent

ORDER (NADIM AKHTAR - MEMBER)

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. When the matter was heard on 11.12.2023, 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.

5. In view of above, it is observed that since the respondent has changed its bank account without the permission of the Authority, it has violated the provisions of the Act and hence is liable for penalty under Section 61 of the Act. Therefore,

respondent is burdened with a penalty of ₹3,00,000/- to be paid before the next date of hearing.

6. Adjourned to **13.11.2024.**

Chander Shekhar
Member

Dr. Geeta Rathee Singh
Member

Nadim Akhtar
Member

Haryana Real Estate Regulatory Authority • Panchkula