HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 2251 of 2022

HRERA, Panchkula ...COMPLAINANT

VERSUS

E.O, HSVP, Bhiwani ....RESPONDENT

CORAM: **Nadim Akhtar** **Member**
Dr. Geeta Rathee Singh **Member**

Date of Hearing: 28.08.2024

Hearing: 4th

Present: Adv. Tarun Ranga representing HSVP

ORDER (Nadim Akhtar- Member)

This suo-motu complaint was registered against the respondent for not uploading quarterly progress reports of project registered vide Registration No. HRERA-PKL-BWN-70-2018 dated 21.11.2018 valid upto 31.03.2019.

2. As per provisions of Section-11 of the Real Estate (Regulation & Development) Act, 2016 read with Rule-14(vii)(d) of the Haryana Real Estate (Regulation & Development) Rules, 2017, promoters of registered real estate projects are required to upload quarterly progress reports on the web portal of Authority within 15 days of the expiry of each quarter.

3. It has been observed that promoter is not uploading the quarterly progress reports of above-mentioned project, thus, violating provisions of Section-11 of the Real Estate (Regulation & Development) Act, 2016 and Rule-14(vii)(d) of the Haryana Real Estate (Regulation & Development) Rules, 2017.

4. In view of aforesaid, show-cause notice dated 24.08.2022 was issued to the promoter wherein the promoter was directed to submit online quarterly progress reports up to 2nd quarter of the year 2022 within a period of 30 days on the website of the Authority, failing which promoter will be liable for penal action U/s 63 of the RERA Act, 2016.

5. On 10.04.2023, neither anyone appeared before the Authority nor quarterly progress reports were uploaded. The Authority decided to grant one last opportunity for uploading quarterly progress reports within a period of 30 days failing which penalty of Rs.1000/-per day shall be imposed.

6. On 31.01.2024, the Authority observed that the quarterly progress reports have not been uploaded online by the respondent promoter .The Authority therefore imposed a penalty of Rs.1000/- per day from today till the quarterly progress reports are uploaded online.

7. On the last date of hearing, i.e., 08.05.2024, learned counsel Sh. Tarun Ranga appeared and informed that the QPRs upto 31.03.2024 have been uploaded online on the web portal of the Authority. The promoter sought time to deposit the penalty imposed on 31.01.2024.The Authority observed that the promoter has duly uploaded QPRs upto 31.03.2024 on 26.04.2024.The cumulative penalty of Rs.1000/- per day imposed on 31.01.2024 till 25.04.2024 works out to Rs.86,000/-. The Promoter was directed to deposit the said penalty in the registry of the Authority before the next date of hearing.

8. Today, learned counsel Sh. Tarun Ranga appeared and informed that a request letter for grant of Moratorium in all Suo-Motu Complaints and Project cases of HSVP has been submitted in the Authority on 14.08.2024. Learned Counsel Sh. Tarun Ranga requested to adjourn the matter till the decision regarding the request for grant of Moratorium is taken by the Hon'ble Authority. Acceeding to the request of the Promoter, Authority decides to adjourn the matter.

9. Adjourned to 18.12.2024

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Dr. Geeta Rathee Singh
Member

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Nadim Akhtar
Member