HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 2249 OF 2022

HRERA, Panchkula ....COMPLAINANT

VERSUS

Haryana Shehri Vikas Pradhikaran ....RESPONDENT

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

Date of Hearing: 28.08.2024

Hearing: 10th

Present: - Advocate Sh.Tarun Ranga representing HSVP.

ORDER (Nadim Akhtar- Member)

This suo-motu complaint was registered against the respondent for not uploading quarterly progress reports of a residential colony registered vide Registration No. HRERA-PKL-HSR-125-2019 dated 25.06.2019 valid upto 31.12.2020.

2. When this matter was considered on 03.04.2023, a penalty of ₹1,000/- per day was imposed for not filing quarterly progress reports on web portal of Authority.

3. On 16.10.2023, the respondent promoter was granted last opportunity to comply with the orders failing which the Authority will be constrained to impose penalty of ₹5 lac U/s 61 read with Section 63 for contravention of the provisions of the Act .

4. On 18.12.2023, the Authority imposed a penalty of ₹5 lac U/s 61 read with Section 63 for contravention of the provisions of the Act and not complying with the orders of the Authority. It was further made clear that penalty of Rs.1000 per day shall continue till the date quarterly progress reports are filed by promoter.

5. On 21.02.2024,the Authority directed the office to provide Login ID and Password to the promoter so that quarterly progress reports can be uploaded online. The Authority also directed the promoter to pay penalty of ₹5 lac as imposed on 18.12.2023 in the registry of the Authority before the next date of hearing. Login Id and Password was sent on the registered email of the promoter on 29.02.2024.The cumulative penalty from 03.04.2023 till 21.02.2024 amounts to ₹3,25,000/-. Said QPRs have not been filed till date. The respondent promoter was directed to deposit the above said amount in the registry of the Authority before the next date of hearing. It was further made clear that penalty of ₹1,000/- per day shall continue till the date quarterly progress reports are filed by promoter.

6. On 10.04.2024,learned counsel Sh. Tarun Ranga appeared and sought time to file reply as orders of the Authority dated 21.02.2024 were uploaded on 09.04.2024.Acceeding to the request of the promoter, the Authority grants time to the promoter to file reply.

The Authority observed that the promoter has failed to upload the quarterly reports even after giving several opportunities, the penalty of

Rs.1,000 per day imposed on 03.04.2023 was enhanced to Rs.10,000 per day from today till quarterly progress reports are uploaded online.

The cumulative penalty from 03.04.2023 till 09.04.2024 amounts to ₹3,73,000/-. Said QPRs have not been filed till date. The respondent promoter was directed to deposit the said amount in the registry of the Authority before the next date of hearing. It was further made clear that penalty of ₹10,000/- per day shall continue till the date quarterly progress reports are filed by promoter.

7. On the last date of hearing, i.e., 05.06.2024, learned counsel Sh. Tarun Ranga appeared and informed that the QPRs will be uploaded online on the web portal of the Authority today. The Authority directed that the Promoter should upload the QPRs upto first quarter of 2024. The Authority was of the view that the promoter has failed to upload the quarterly reports even after giving several opportunities, the penalty of Rs.10,000 per day imposed on 10.04.2024 is being enhanced to Rs.25,000 per day from today till quarterly progress reports are uploaded online.

The Authority directed the promoter to pay penalty of ₹5 lac as imposed on 18.12.2023 in the registry of the Authority before the next date of hearing. The cumulative penalty from 03.04.2023 till 04.06.2024, amounts to ₹9,33, 000/-. Said QPRs have not been filed till date. The respondent promoter should therefore deposit the said amount in the registry of the Authority before the next date of hearing. It is further made clear that penalty of ₹25,000/- per day shall continue till the date quarterly progress reports are filed by promoter.

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 up 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