HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. (Suo-Motu) 3182 of 2022

HRERA, Panchkula ...COMPLAINANT

VERSUS

BestPlus Developers Pvt. Ltd ....RESPONDENT

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

Date of Hearing: 06.11.2024
Hearing: 8th
Present: None.

ORDER (Nadim Akhtar - Member)

Present Suo-motu complaint was registered against the respondent promoter for neither completing the project within the timelines declared u/s 4(2)(l)(c) at the time of seeking registration nor applying for extension of registered project namely; "Rohtak Greens" an affordable residential plotted colony on land measuring 7.75 acres in Sector-25-D, village Pehrawar, Rohtak registered vide Registration No. 238 of 2017 dated 20.09.2017 valid upto 31.12.2019. The first extension was granted upto 30.06.2021 including six months Covid period from 25.03.2020 to 24.09.2020. After granting benefit of covid period the registration stands expired on 30.09.2021.

A show cause notice dated 29.11.2022 was issued to the respondent promoter directing to furnish information relating to the status of the project on the date of expiry of registration.

2. When this matter was heard by the Authority on 30.01.2023, Authority had directed the promoter not to sell any unsold inventory or create any third-party rights in the project till extension is granted.

3. Subsequently on 26.07.2023, no one appeared nor any reply filed. The Authority, therefore, directed the promoter to show cause as to why penalty proceedings U/s 61 read with Section 63 be not initiated for failure to comply with the orders of the Authority.

4. On 28.02.2024, Authority directed the respondents to apply for extension and deposit the penalty of Rs. 5 Lac before the next date of hearing. The orders were sent through mail on 19.04.2024 and registered post, which were delivered to the respondent on 30.03.2024.

5. Respondent/Promoter (through Sh. Ashok Kumar) vide reply dated 28.02.2024 has submitted the following information: -

i. License has been renewed upto 28.07.2024.

ii. Services are fully operational as far as park, roads, sewer system, storm water, STP & UGT is concerned.

iii. Applied for Completion Certificate on 01.08.2023, however CWP No. 33765/2019 is pending before the Hon'ble High Court and that the Completion Certificate will be issued after the orders on the said case.

iv. Executed gift deed of community site and area falling on 24 mts & 60 mts wide road.

6. Further, extension of the project has been applied on 20.03.2024 However, Penalty of Rs 5 lacs has not been deposited by the respondents. The Authority on 01.05.2024 granted one last opportunity to the respondents to comply

with the above orders and deposit the penalty of Rs 5 Lacs failing which additional costs of Rs 2 Lacs shall be imposed.

7. On the last date of hearing i.e. 07.08.2024, neither anyone appeared nor any penalty has been deposited by the respondent. Therefore, the Authority while confirming the penalty of Rs 2 Lacs directs the respondents to deposit Rs 7 Lacs in the registry of the Authority before the next date of hearing.

8. Today, neither anyone appeared nor any penalty has been deposited by the respondent. The Promoter-Respondent is granted one last opportunity to deposit Rs. 5 Lacs as penalty and Rs. 2 Lacs as cost in the registry of the Authority before the next date of hearing.

9. Adjourned to **15.01.2025.**

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