HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. (Suo-Motu) 2813 of 2022

HRERA, Panchkula ...COMPLAINANT

VERSUS

TDI Infracorp (India) Limited ....RESPONDENT

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

Date of Hearing: 20.11.2024

Hearing: 7th

Present: - None on behalf of respondent

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; "The Retreat " a residential plotted colony measuring 16.19 acres situated

in Sector -89 Faridabad, Village Tikawali and Riwazpur, Faridabad which was registered vide Registration No. 39 of 2017 dated 10.08.2017 valid upto 10.08.2019.The first extension was granted upto February 2021.

2. A show cause notice dated 20.10.2022 was issued to the respondent promoter directing to furnish information relating to the status of the project on the date of expiry of registration.

3. On 17.04.2023, the promoter was directed not to sell any unsold inventory or create any third party rights in the project till extension is granted.

4. When the matter was heard on 18.12.2023, promoter was directed to show cause as to why penalty of ₹5 lac be not imposed upon him under Section 61 read with Section 63 of the RERA Act, for contravention of the provisions of the Act and not complying with the orders of the Authority. The office was directed to send a copy of this order to the respondent via mail and registered post.

5. In compliance of above, a copy of orders dated 18.12.2023 was duly sent to the promoter via registered post on 20.03.2024 which was successfully delivered on 30.03.2024.

6. The matter was then heard by the Authority on 10.04.2024 wherein penalty of ₹5 lac was imposed upon promoter under Section 61 read with Section 63 of the RERA Act, for contravention of the provisions of the Act and not complying with the orders of the Authority. Respondent was directed to deposit the said penalty on

or before the next date of hearing and furnish information relating to the status of the project on the date of expiry of registration.

The office was also directed to send a copy of this order to the promoter via mail and through registered post.

7. In compliance of above, copy of orders dated 10.04.2024 were sent to the respondent through mail and registered post on 26.06.2024 which were successfully delivered on 01.07.2024.

8. The matter was then heard on 03.07.2024 wherein the respondent did not appear nor filed any reply. The respondent was therefore directed to show cause as to why additional penalty of ₹2 lac be not imposed for violations of the orders of the Authority.

9. The matter was last heard on 11.09.2024 wherein respondent was burdened with additional cost of ₹2 lac in addition to already imposed cost of ₹5 lac to be deposited before the next date of hearing. Further, it was observed that there is an intentional non-compliance on the part of the respondent. Hence, the Managing Director/one of the Directors of the respondent promoter is directed to appear personally on the next date of hearing and explain their stand. A copy of this order was directed to be sent to the respondent promoter through mail and registered post.

10. In compliance of the above order, copy of the order was sent to the promoter on 12.11.2024 which was successfully delivered on 18.11.2024.

11. Despite service of notice, no one appeared today nor any reply filed. Since the Managing Director/one of the Directors did not appear before the Authority today, cost of ₹1 lac is hereby imposed for his non-appearance and not complying with the orders of the Authority. The promoter was given last opportunity to comply with the orders failing which Authority will be constrained to issue show cause notice as to why the registration granted may not be revoked under Section 7(1) of the Act for noncompliance of the provisions of the Act.

12. The office is directed to send a copy of these orders to the respondent through mail and registered post.

13. Adjourned to **29.01.2025.**

Chander Shekhar
Member

Dr. Geeta Rathee Singh
Member

Nadim Akhtar
Member