



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. (Suo-Motu) 3090 of 2022

HRERA, Panchkula

...COMPLAINANT

VERSUS

B.M. Gupta Developers Pvt. Ltd.

....RESPONDENT

CORAM:

**Parneet S Sachdev
Nadim Akhtar
Dr. Geeta Rathee Singh
Chander Shekhar**

**Chairman
Member
Member
Member**

Date of Hearing: 24.07.2024

Hearing: 4th

Present: Sh. Manoj Kapoor on behalf of the respondents via video conferencing.


ORDER [Parneet S Sachdev-Chairman]

This suo-motu complaint was registered against the respondent promoter for neither completing the project within the timelines declared u/s 4(2)(1)(c) at the time of seeking registration nor applying for extension of registration of the project namely "Elegant Homes" a Residential Plotted Colony (7 Plots of Residential Plotted Colony) measuring 4417.938 sq.

- mtrs. situated in sector-26, Garhi Bolni Road, Tehsil and District Rewari registered vide registration no. 242 of 2017 dated 26.09.2017 which was valid upto 25.09.2021. After granting covid benefit the registration stands expired on 25.06.2022.
2. In view of aforesaid, a show cause notice dated 23.11.2022 was issued to the respondent promoter directing to furnish information relating to the status of the project on the date of expiry of registration.
 3. On 16.01.2023, Authority observed that as on date the registration stands expired, therefore the promoter is directed not to sell any unsold inventory or create any third party rights in the project till extension is granted.
 4. The respondent vide reply dated 24.01.2023 and Sh. Manoj Kapoor who is present on 18.12.2023, informed the Authority that out of the seven plots registered under this project, Occupation certificate of four plots have been obtained, two plots have been sold unconstructed and the promoter does not intend to construct and sell one plot. They have also submitted an application for discontinuation of registration on 11.10.2023.
 5. On 18.12.2023, Authority observed that since completion of this plotted colony has not been obtained and RERD Act, 2016 specifically provides for continuation of registration till completion certificate is granted therefore, the respondent is directed to apply for extension and also not to sell any unsold inventory till extension is granted.
 6. On 24.04.2024, Sh. Manoj Kapoor informed that vide letter dated 21.02.2024, they had applied for extension of registration of one plot and application of discontinuation of the said project registration is also under consideration of the Authority. The Authority directed the promoter to deposit a penalty of Rs. 50,000/-, for selling two unconstructed plots, thus violating the terms of the registration certificate, in the registry of the Authority before the next date of hearing. Further, the application for

deregistration/extension will be considered in the agenda proceedings of the Authority separately.

7. The promoter vide letter dated 10.06.2024 submitted the said penalty and requested to remove the three plots (namely C-130, C-132, C-133) from the Registration certificate.
8. The Authority observed that since the promoter has applied for extension and has also paid the said penalty, this suo motu complaint be disposed of. Further request of the promoter be dealt in the agenda proceedings of the Authority.
9. **Disposed of.** File be consigned to record room.


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Chander Shekhar
Member


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Dr. Geeta Rathee Singh
Member


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Nadim Akhtar
Member


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Parneet S Sachdev
Chairman