



## **HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA**

Website: [www.haryanarera.gov.in](http://www.haryanarera.gov.in)

### **COMPLAINT NO. (Suo-Motu) 2810 of 2022**

HRERA, Panchkula

...COMPLAINANT

**VERSUS**

Ozone GSP Infratech Sarvome House

....RESPONDENT

**CORAM:**

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

**Chairman  
Member  
Member  
Member**

**Date of Hearing:** 12.06.2024

**Hearing:** 6<sup>th</sup>

**Present: -** Sh. N.P. Singh, counsel for the respondent through video conference

### **ORDER (PARNEET S SACHDEV - CHAIRMAN)**

Present 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 project namely; "The

Presidio" a Group Housing colony measuring 1.744 acres in Sector-31, Village Atmadpur, Faridabad registered vide Registration No. 276 of 2017 dated 09.10.2017 valid upto 08.10.2020. After granting benefit of covid period the registration stands expired on 08.07.2021.

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 under the provisions of Section 35 of the Real Estate (Regulation and Development) Act, 2016.

3. When the matter was heard on 07.08.2023, Authority directed the office to provide Login ID to the respondent and also directed the respondents to submit a penalty of Rs. 50,000/- for not complying with the orders of the Authority. Further, the Authority directed that the ban on sale of unsold inventory or creation of any third party rights in the project imposed vide order dated 17.04.2023 will continue till extension is granted in the project.

4. The matter was then heard on 18.12.2023, wherein 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 Authority further directed the respondent to deposit the penalty of ₹50,000/- in the registry of the Authority before the next date of hearing.


5. The matter was last heard on 10.04.2024 wherein respondent was directed to file its reply in the office of the Authority and also to deposit the earlier imposed penalty of ₹50,000/- before the next date of hearing. It was further observed that the decision with regard to imposition of penalty of ₹5 lac under Section 61 read with Section 63 of the RERD Act will be taken by the Authority on next date of hearing after examining the reply of the respondent.

6. The respondent vide reply dated 15.04.2024 has submitted that the project was initially financed with State Bank of Patiala, which later merged with State Bank of India. After the merger of the banks, the Bank suddenly suspended the further funding and illegally withdrew certain limits, leading to the project being stalled and account turning NPA. The respondent tried to resolve the matter with State Bank of India amicably, however; the matter finally went into litigations which is currently subjudice before Hon'ble Debt Recovery Tribunal, Delhi where the company has filed its claim against the Bank. The homebuyers are updated about the situation and have appreciated the circumstances compelling the project getting delayed. There are no complaints by the homebuyers against the project. The company is currently not having any bank account and is therefore unable to accept any funds or make any expenditure. The other approvals of the project such as Airport authority, building plans, environment clearance have also lapsed. The company has not made any sale or accepted any funds from any of its customers




due to aforesaid litigations and undertakes that it shall not make any sale unless registration with the Authority is renewed. The company currently cannot foresee the duration for resolution of the matter with State Bank of India and in such circumstances the company is unable to seek the renewal of registration and request has been made to allow time to seek extension of the project.

7. Adjourned to 12.02.2025 with direction to the respondent to file for extension of the project. It is further made clear that respondent will be liable to pay late fee and penalty for not seeking extension in time as per resolution passed by the Authority vide item no. 261.34 dated 07.08.2024.

  
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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