# HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

**COMPLAINT NO. 2251 of 2022**

HRERA, Panchkula ...COMPLAINANT

VERSUS

E.O, HSVP, Bhiwani ....RESPONDENT

| | | |
|---|---|---|
| **CORAM:** | **Parneet S Sachdev** | **Chairman** |
| | **Dr. Geeta Rathee Singh** | **Member** |
| | **Chander Shekhar** | **Member** |

**Date of Hearing:** 18.12.2024

**Hearing:** 5th

**Present:** Adv. Tarun Ranga representing HSVP.

**ORDER (Parneet S Sachdev-Chairman)**

This suo-motu complaint was registered against the respondent for not uploading quarterly progress reports of project registered vide Registration No. HRERA-PKL-BWN-70-2018 dated 21.11.2018 valid upto 31.03.2019.

2. As per provisions of Section-11 of the Real Estate (Regulation & Development) Act, 2016 read with Rule-14(vii)(d) of the Haryana Real Estate (Regulation & Development) Rules, 2017, promoters of registered real estate projects are required to upload quarterly progress reports on the web portal of Authority within 15 days of the expiry of each quarter.

3. It has been observed that promoter is not uploading the quarterly progress reports of above-mentioned project, thus, violating provisions of Section-11 of the Real Estate (Regulation & Development) Act, 2016 and Rule-14(vii)(d) of the Haryana Real Estate (Regulation & Development) Rules, 2017.

4. In view of aforesaid, show-cause notice dated 24.08.2022 was issued to the promoter wherein the promoter was directed to submit online quarterly progress reports up to 2nd quarter of the year 2022 within a period of 30 days on the website of the Authority, failing which promoter will be liable for penal action U/s 63 of the RERA Act, 2016.

5. On 10.04.2023, neither anyone appeared before the Authority nor quarterly progress reports were uploaded. The Authority decided to grant one last opportunity for uploading quarterly progress reports within a period of 30 days failing which penalty of Rs.1000/-per day shall be imposed.

6. On 31.01.2024, the Authority observed that the quarterly progress reports have not been uploaded online by the respondent promoter .The Authority

therefore imposed a penalty of Rs.1000/- per day from today till the quarterly progress reports are uploaded online.

7. On the last date of hearing, i.e., 08.05.2024, learned counsel Sh. Tarun Ranga appeared and informed that the QPRs upto 31.03.2024 have been uploaded online on the web portal of the Authority. The promoter sought time to deposit the penalty imposed on 31.01.2024.The Authority observed that the promoter has duly uploaded QPRs upto 31.03.2024 on 26.04.2024.The cumulative penalty of Rs.1000/- per day imposed on 31.01.2024 till 25.04.2024 works out to Rs.86,000/-. The Promoter was directed to deposit the said penalty in the registry of the Authority before the next date of hearing.

8. On 28.08.2024, 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 by the Hon'ble Authority. Acceding to the request of the Promoter, the Authority decided to adjourn the matter.

9. Today, learned counsel Sh. Tarun Ranga appeared and requested for an adjournment in lieu of order dated 09.10.2024 under item no. 266.05 passed by the

Authority. For ready reference, order dated 09.10.2024 under item no. 266.05 has been reproduced below:

> *"5. Thus, HSVP is squarely covered under above definition of promoter is a promoter. Taking a lenient view, Authority will not to take coercive actions till a period of six months is over or any directions are received from the Government, whichever is earlier. It is hereby made clear that no relaxation is being given by the Authority in its earlier decisions/ orders already pronounced and uploaded on its website, HSVP is very much bound to comply with the same. However, all the proceedings of registration etc. will be fixed after 14.02.2025 or till HSVP gets the matter clarified from government, whichever is earlier."*

10. He further apprised the Court that a reference in this regard has been sent to the Government. He further requested to adjourn the matters till any directions are received from the Government.

11. The Authority directed the counsel to submit a copy of the reference sent to the Government and with the directions to deposit the penalty imposed earlier vide order dated 31.01.2024 (which works out to ₹86,000/-) in the registry of the Authority before the next date of hearing.

12. Adjourned to **05.03.2025**.

Chander Shekhar
Member

Dr. Geeta Rathee Singh
Member

Parneet S Sachdev
Chairman