HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1095 OF 2020

HRERA, Panchkula ....COMPLAINANT

VERSUS

Haryana Shehri Vikas Pradhikaran,Hisar RESPONDENT

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

Date of Hearing: 18.12.2024

Hearing: 22nd

Present: Adv. Tarun Ranga representing HSVP.

ORDER (Parneet S Sachdev-Chairman)

Registration No. HRERA-PKL-HSR-41-2018 dated 06.09.2018 was valid upto 31.12.2019. The respondent promoter has neither submitted an application for extension of registration nor completion certificate of the colony.

2. The matter was considered by the Authority on 07.08.2023 when the respondent promoter was directed to show cause as to why registration may not be revoked by the Authority U/s 7 of the RERA Act, 2016 and penalty proceedings U/s 61 read with Section 63 be not initiated for contravention of the provisions of the Act and not complying with the orders of the Authority.

3. When matter was considered by the Authority on 09.10.2023, the Authority had granted last opportunity to the respondent to comply with the orders failing which it will be constrained to impose penalty of ₹5 lac U/s 61 read with Section 63 of the provisions of the Act.

4. On 18.12.2023, Advocate Tarun Ranga appeared and submitted that the respondent forgot the Login Id and Password and sought time to file reply. The Authority directed that the Login Id and password be provided to the respondent and directed that the concerned E.O. should be personally present on the next date of hearing.

5. On 21.02.2024, J.E (HSVP) appeared and sought last opportunity to file reply. J.E (HSVP) submitted that E.O was on duty at the protest site of farmers agitation and therefore could not attend the hearing.

The Authority informed that Login Id and password has already been provided to the promoter on 25.01.2024 on the registered email ID. The Authority asked the counsel to show the exemption letter of the E.O. for not attending the personal hearing. The J.E (HSVP) has also not been authorised to attend the hearing. The Authority directed the counsel to submit Auction details of the last 4 years (after the lapse of registration of the project).If the same is not provided before the next date of hearing, it will be the personal liability of the concerned E.O. The Authority also directed the promoter to apply for extension of registration along with requisite fee.

The Authority imposed a personal cost of Rs. 5,000/- on the concerned E.O. for non-appearance in the hearing. The Authority also imposed penalty of ₹5 lac U/s 60, 61 read with Section 63 of the provisions of the Act. The Promoter was directed to deposit the same in the registry of the Authority before the next date of hearing.

6. On 10.04.2024, learned counsel Sh. Tarun Ranga appeared and sought time to file reply as the orders of the Authority dated 21.02.2024 were uploaded on 09.04.2024.Acceeding to the request of the learned counsel, the Authority

granted time to the promoter to file reply before the next date of hearing. The Authority also directed that the concerned E.O. to be personally present on the next date of hearing.

7. On 05.06.2024, learned counsel Sh. Tarun Ranga appeared and informed that the extension application of the project will be submitted today. Sh. Rajesh Koth (E.O.) appearing via online mode requested the Authority to waive of the personal cost of Rs, 5000/- imposed on 21.02.2024. The Authority directed that a formal application should be submitted in the Authority by the E.O. requesting to waiving of the cost. The Authority also directed that the penalty of Rs. 5 Lacs imposed on 21.02.2024 should be submitted in the registry of the Authority before the next date of hearing.

8. On the last date of hearing, i.e., 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 are 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 amounting to Rs 5 Lacs already imposed by the Authority before the next date of hearing.

12. Adjourned to **12.03.2025**.

Chander Shekhar Member	Dr. Geeta Rathee Singh Member	Parneet S Sachdev Chairman