HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 3091 OF 2022

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: 9th

Present: Adv. Tarun Ranga representing HSVP.

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)(l)(c) at the time of seeking registration nor applying for extension of a registered Project of a residential colony measuring 31.65 acres being developed by HSVP situated in Sector 24, Raipur Road, Hisar registered vide Registration No. HRERA-PKL-HSR-125-2019 dated 25.06.2019 valid upto 31.12.2020. After granting benefit of COVID period, the registration stands expired on 31.09.2021.

2. When the matter was heard on 23.01.2023, respondent promoter was directed not to sell any unsold inventory or create any third party rights in the project till extension is granted.

3. On 06.03.2023, the Authority had directed that a D.O. letter be sent to the Chief Administrator, HSVP to look into the matter and direct the concerned officer to file reply. The same was sent on 12.12.2023 and was received on 13.12.2023.

4. On 18.12.2023, no one appeared on behalf of the respondent and no reply was filed. The Authority directed to show cause as to why penalty U/s 60, 61 read with Section 63 be not imposed for contravention of the provisions of the Act and not complying with the orders of the Authority.

5. On 21.02.2024, the Authority 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 60,61 read with Section 63 of the provisions of the Act. The Authority also directed that the concerned E.O. should be personally present in the next date of hearing.

6. On 10.04.2024, learned counsel Sh. Tarun Ranga appeared and sought time to file reply as orders of the Authority dated 21.02.2024 were uploaded on 09.04.2024.Acceeding to the request, the Authority granted time to the promoter to file reply. The Authority directed that the concerned E.O. should be personally present on the next date of hearing. Authority also imposed a penalty of Rs. 5 Lacs u/S-60, 61 r/w 63 of the RERD Act,2016 which should be deposited in the registry of the Authority before the next date of hearing.

7. On the last date of hearing, i.e., 05.06.2024, learned counsel Sh. Tarun Ranga appeared and informed that extension application of the project will be submitted today in the Authority. The Authority granted one last opportunity to the promoter to deposit penalty of Rs. 5 Lacs imposed on 10.04.2024.

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 directed to deposit the penalties already imposed by the Authority before the next date of hearing.

12. Adjourned to **12.03.2025.**

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