



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1694 of 2023

HRERA, Panchkula

...COMPLAINANT

VERSUS

Best Deal Housing and construction Pvt. Ltd.

....RESPONDENT

CORAM: Parneet S Sachdev
Nadim Akhtar
Chander Shekhar

Chairman
Member
Member

Date of Hearing: 05.03.2025

Hearing: 5th

Present: Adv. Neeraj Goel on behalf of the Respondent.

ORDER (Parneet S Sachdev-Chairman)

The present Suo-Motu complaint relates to Phase II of project namely 'Gulmohar City' a residential plotted colony on land measuring 3.73 acres situated in sector 29, Kaithal registered vide registration no. HRERA-PKL-KTL-52-2018 dated 03.10.2018 valid up till March 2021. Notice under section 35 of the act was issued to the promoter for non-submission of following information/documents in the said project: -

- i. *The registration granted by the Authority cited above has lapsed in March, 2021. You have neither applied for further extension of registration of the project as required under Section-6 of Real Estate (Regulation & Development) Act, 2016 nor submitted any information/documents showing that project stands completed*

or part completion/completion certificate has been granted by the competent Authority within time period of registration.

- ii. *It has also been observed that you have failed to fulfil your obligations U/s 11 of the RERA Act, 2016 as:*
- a) *You have not uploaded quarterly progress reports of above-mentioned project. You are hereby directed to submit quarterly progress reports upto the last quarter.*
 - b) *License No. 05 of 2011 dated 06.01.2011 was valid upto 05.01.2019. A copy of renewal of license be submitted.*
 - c) *Duly approved copies of Service Plan/Estimates have not been submitted.*

2. On 26.09.2023, Authority observed that as on date the registration stands expired, therefore the promoter was directed not to sell any unsold inventory or create any third party rights in the project till extension is granted. Further, respondent promoter was directed to submit the above said information/documents before the next date of hearing or show causes as to why penalty upto 5% of the estimated cost of the project be not imposed upon him under section 61 read with section 63 of RERA Act, 2016 for contravention of the provisions of the Act and not complying with the orders of the Authority.

3. On 28.02.2024 since no reply was filed by the respondent, Authority decided to impose a penalty of Rs. 5 lakhs and directed the respondent to deposit the said amount in the registry before the next date of hearing. Further, the Authority directed to submit the above said information/documents before the next date of hearing and Managing Director/one of the Directors be personally present on the next date of hearing.

4. On 09.10.2024, the learned counsel requested for last opportunity to comply with the orders of the Authority.

5. Since Managing Director/one of the directors was required to be physically present but was not present, therefore, Authority decides to impose a cost of Rs. 1 lac on the promoter. Managing Director/ one of the Directors be personally present on the next date of hearing. Further the respondent is directed to comply with the last orders of the Authority before the next date of hearing failing which additional penalty of Rs. 2 Lacs will be imposed.

6. On the last date of hearing i.e 08.01.2025, Sh. Dinesh Gupta, Director of the company along with learned counsel Sh. Tarun Ranga appeared and submitted that QPRs have been filed till 30th June 2024 on 13.11.2024. The Authority directs the promoter to file an affidavit regarding no. of units sold and updated address of the company and further directs to deposit the penalty of Rs. 6 Lacs before the next date of hearing i.e., 05.03.2025.


7. Today learned counsel Sh. Neeraj Goel appeared and requested for one more opportunity to comply with the orders of the Authority but the Authority declined the request and since the promoter had failed to deposit the penalty of Rs.6 Lacs therefore the Authority decided that the matter may be sent to the learned Adjudicating Officer (Execution) for recovering the same.

8. In view of the above, file should be transferred to the court of Ld. Adjudicating Officer (Execution) for taking further necessary action as per law.

9. **Disposed of**


.....
Chander Shekhar
Member


.....
Nadim Akhtar
Member


.....
Parneet S Sachdev
Chairman