



Complaint No. 1941 of 2022

HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1941 of 2022

HRERA, Panchkula

...COMPLAINANT

VERSUS

SRS Real Estate Ltd.

...RESPONDENT

CORAM:

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

**Chairman
Member
Member
Member**

Date of Hearing: 29.01.2025

Hearing: 6th

Present: None for the Promoter.

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. 250 of 2017 dated 28.09.2017 valid upto 27.09.2022.

2. It was observed that promoter is not uploading the quarterly progress reports of above-mentioned project, thus, violating the 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.

3. In view of aforesaid, show-cause notice dated 04.08.2022 was issued and 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.

4. On 10.04.2023, neither anyone appeared before the Authority nor quarterly progress reports 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.

5. On 31.01.2024, Authority decided to impose a penalty of Rs.1000/- per day till the quarterly progress reports are uploaded online.

6. Vide email dated 31.01.2024, it was informed that Mr. Shyam Arora has been appointed as Interim Resolution Professional (IRP) as per order of Corporate Insolvency Resolution Process issued by the Hon'ble National Company Law Tribunal, Chandigarh Bench on 22.12.2022 in the matter of SRS Real Estate Ltd in the Company Petition No.167/2020 titled as **LIC Housing Finance Ltd Vs SRS Real Estate Ltd**.

As per Section-17(2)(e) of Insolvency and Bankruptcy Code, 2016, the interim resolution professional vested with the management of the corporate shall be responsible for complying with the requirements under any law for the time being in force on behalf of the corporate debtor.

On 08.05.2024, office was directed to send a copy of this order and show cause notice dated 04.08.2022 to the concerned IRP via registered post and e-mail. The concerned IRP was directed to comply with the directions of the Authority as mentioned in the show cause notice dated 04.08.2022.

7. On 07.08.2024, Sh. Shyam Arora informed that he has not been appointed as an Interim Resolution Professional in the said project of the Promoter. In view thereof, Authority directs the promoter to upload upto date quarterly progress reports on the web portal of the Authority. The cumulative penalty imposed on 31.01.2024 till 06.08.2024 amounts to Rs.1,89,000/-. The Promoter is directed to deposit the said amount in the registry of the Authority before the next date of hearing. As the Promoter has failed to upload quarterly progress reports, the penalty of Rs.1000/- per day imposed on 31.01.2024 is being enhanced to Rs. 5000/- per day. The office is directed to send a copy of this order to the Promoter through registered post and e-mail.

8. The copy of orders dated 07.08.2024 were sent at the address of the Promoter available on the MCA Website and Registration Certificate as well as on the e-mail of the Promoter. Copy sent at MCA address has been received back in the Authority on 03.12.2024 and e-mail dated 29.11.2024 has also bounced back due to technical glitch.

9. On the last date of hearing, i.e., 04.12.2024, neither anyone appeared before the Authority nor quarterly progress reports uploaded by the Respondent Promoter. On perusal of the record of the said Project, it is found that the promoter has not submitted A-H form of the Project till date. Until A-H Form is linked to the Registration Certificate, QPRs cannot be uploaded online. The cumulative penalty imposed on 31.01.2024 till 06.08.2024 amounts to Rs.1,89,000/-. The cumulative penalty of Rs. 5000/- per day imposed on 07.08.2024 till 03.12.2024 amounts to Rs. 5,95,000/-. As the Promoter has failed to upload quarterly progress reports, the penalty of Rs.5000/- per day imposed on 07.08.2024 is being enhanced to Rs. 10,000/- per day. The Promoter is directed to submit A-H form of the said Project and deposit the said amount in the registry of the Authority before the next date of

hearing. It is also directed that a letter be sent to the Department of Town & Country Planning, Haryana seeking information regarding the current status of the project and updated address of the Promoter.

The Office was directed to send a copy of this order to Jail Superintendent, Neemka Jail, Faridabad with the directions to serve it upon the Directors of the Company confined in Neemka Jail and send compliance report to the Authority.

The orders of the Authority dated 04.12.2024 were delivered to the Jail Superintendent, Neemka Jail, Faridabad and Department of Town & Country Planning, Haryana on 20.01.2025.

10. Vide letter dated 22.01.2025, Sh. Anil Jindal, Director of Promoter Company has requested that all the further correspondences be made on address provided in the present letter. Sh. Anil Jindal has provided correspondence address and e-mail. He has assured that he will personally care all the proceedings or through his counsel.

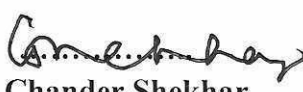
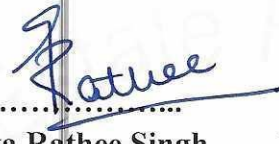
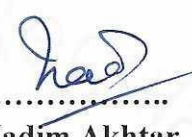

Also, vide e-mail dated 25.01.2025, Jail Superintendent, Neemka Jail, Faridabad has informed that Sh. Anil Jindal S/o Girraj Singh is presently not confined in this jail and has been released on bail on 05.12.2024 after getting bail/disposed of in all pending cases registered against him.

11. Today, neither anyone appeared before the Authority nor quarterly progress reports uploaded by the Respondent Promoter. The cumulative penalty imposed on 31.01.2024 till 06.08.2024 amounts to Rs.1,89,000/-. The cumulative penalty of Rs. 5000/- per day imposed on 07.08.2024 till 03.12.2024 amounts to Rs. 5,95,000/-. The cumulative penalty of Rs. 10,000/- per day imposed on 04.12.2024 till 28.01.2025 amounts to Rs. 5,60,000/-. As the Promoter has failed to upload quarterly progress reports, the penalty of Rs.10,000/- per day imposed on 04.12.2024 is being enhanced to Rs. 25,000/-

per day. The Promoter is again directed to submit A-H form of the said Project and deposit the said amount in the registry of the Authority before the next date of hearing. It is further made clear that penalty of Rs. 25,000 per day shall continue until quarterly progress reports are uploaded online.

The office is directed to send copy of this order at the address and email provided in the letter dated 22.01.2025.

12. Adjourned to 09.04.2025

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