HARERA
GURUGRAM

BEFORE THE HARYANA REAL ESTATE REGULATORY AUTHORITY, GURUGRAM

Registration No.	GGM/716/448/2023/60 dated 08.05.2023
Name of promoter	M/s Emaar India Ltd.
Name of project	Emerald Hills- Phase 2
Location of project	Sector-62 & 65, Gurugram
Suo motu complaint no.	RERA-GRG-4135-2024
Date of decision	06.03.2025

ORDER

1. Whereas an application for registration of the above real estate project under section 4 of the Real Estate (Regulation and Development) Act, 2016 was submitted to the Authority by M/s Emaar India Ltd. and after due consideration, the said real estate project was conditionally registered with the Haryana Real Estate Regulatory Authority Gururam with the following details:

S. No.	Particulars	Details
1.	Registration No.	GGM/716/448/2023/60
2.	Date of Registration	08.05.2023
3.	Date of expiry of validity of registration	10.08.2027
4.	Name of promoter	M/s Emaar India Ltd.
5.	Name of project	Emerald Hills- Phase 2
6.	Area of project	50.61 Acres
7.	Nature of project	Residential Plotted Colony
8.	Location of project	Sector-62 & 65, Gurugram

2. Whereas on the request of the promoter, the Authority had decided to issue the registration certificate subject to the following conditions:

S. No.	Condition	Compliance due date	Date of approval obtained on

1.	Approved service plans & estimates within 3 months from the date of grant of registration	08.08.2023	10.08.2023

3. The promoter had deposited the following security amount as a token of his assurance to comply with the above conditions within the stipulated time period:

Name of the bank	No. And date of refundable security	Amount	Submitted for
HDFC Bank	572GT02231310010 dated 12.02.2024 (Original)	25 lacs	Approved service plans and estimates
HDFC Bank	572GT02231310010 dated 30.08.2023 (Renewal)	25 lacs	Approved service plans and estimates
HDFC Bank	DD no. 784376 dated 03.07.2024	25 lacs	In lieu of above BGs

4. Since the promoter failed to comply with the conditions mentioned in the registration certificate within the prescribed time, the Authority issued a show-cause notice dated 20.08.2024 for forfeiture of security amount deposited in lieu of timely submission of the requisite approvals with an opportunity of hearing on 12.09.2024.

5. On 12.09.2024, the matter was adjourned to 10.10.2024. On 10.10.2024, the matter was again adjourned to 06.03.2025.

6. On 06.03.2025, Sh. Anitesh Singh Chauhan (AR) appeared on behalf the promoter. The AR of the promoter stated that they had applied for the approval of service plans and estimates to GMDA on 13.10.2022. The DTCP issued a letter dated 23.05.2023 vide memo no. LC-1058-JE(DS)-2023/15388 demanding additional bank guarantee of Rs. 281.4835 lacs for approval of service plans and estimates which was submitted by the promoter on 01.06.2023. The final approval of service plans and estimates was issued by DTCP vide memo no. LC-1058/JE(DS)/2023/26226 dated 10.08.2023. The AR of the promoter further

stated that the application was complete in all respects and the delay in grant of final approval was beyond the control of promoter, and requested the Authority not to forfeit the security deposited.

7. It is not disputed that the promoter was granted conditional registration at its own accord and depositing of security amount of Rs. 25 lakhs as a security deposit to submit the approved service plans and estimates within three months of the grant of registration certificate. It was clearly mentioned in the registration certificate that in case of failure to submit the approved service plan and estimates within stipulated time, the bank guarantee amounting to Rs. 25 lakh submitted for submission of service plan and estimates shall be forfeited.

8. On request of the promoter, the Authority has returned the bank guarantees no. 572GT02231310010 dated 12.02.2024 (Original) and 572GT02231310010 dated 30.08.2023 (Renewal) to the promoter on submission of DD no. 784376 dated 03.07.2024 of the same amount.

9. Since the promoter has obtained the approved service plans and estimates with a delay of 2 days, the security amount submitted by the promoter in form of DD is hereby forfeited. Since the compliance has been made, although with a delay, the case is filed.

सत्यमेव जयते
REAL ESTATE REGULATORY AUTHORITY HARYANA
HARERA
GURUGRAM

Ashok Sangwan,
Member, HARERA, Gurugram

Haryana Real Estate Regulatory Authority, Gurugram