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**
	Nadim Akhtar	**Member**
	Dr. Geeta Rathee Singh	**Member**
	Chander Shekhar	**Member**

Date of Hearing: 28.05.2025

Hearing: 11th

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) of HRERA Act,2016 nor applying for extension of registered Project of residential plotted 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. However, after granting benefit of COVID period, expiry of registration of

project extended upon 31.09.2021.The matter was taken up by the authority on 23.01.2023.

2. The matter was heard on 23.01.2023 by the Authority, respondent promoter was directed not to sell any unsold inventory or create any third party rights in the project till extension is granted. The matter was adjouned to 06.03.2023.

3. The Authority had directed that a D.O. letter be sent to the Chief Administrator, HSVP,Panchkula to look into the matter and direct the concerned officer to file reply. The order was communicated and the same was sent on 12.12.2023. The matter was adjourned to 18.12.2023.

4. 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 of HRERA Act,2016 be not initiation for contravention of the provisions of the Actand not complying with the orders of the Authority. The matter was adjourned to 21.02.2024.

5. The Authority granted last opportunity to the respondent to comply with the orders dated 06.03.2023 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 HRERA Act,2016. The Authority also directed that the concerned Estate Officer HSVP, Hisar be personally present on the next date of hearing. The matter was adjourned to 10.04.2024.

6. Adv. Tarun Ranga, ld. counsel for respondent 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 file reply. The Authority directed that the concerned Estate Officer, HSVP, Hisarshould 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. The matter was adjourned to 05.06.2024.

7. Adv. Tarun Ranga, ld. counsel for respondent appeared and informed that the application for extension of the project will be submitted today itself 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. Adv. Tarun Ranga, ld. counsel for respondent 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. He further requested to adjourn the matter till the decision regarding the request for grant of moratorium period taken by the Hon'ble Authority. Acceding to the request of the Promoter, the Authority decided to adjourn the matter. The matter was adjourned to 18.12.2024.

9. Adv. Tarun Ranga, ld. counsel for respondent 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 and 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. The matter was adjourned to 12.03.2025

12. Adv. Neeraj Goel proxy counsel appeared on behalf of respondent and requested some time for filing the copy of the reference sent to the Government. After consideration, the Authority decided that a copy of the reference sent to the government be submitted before the next date of hearing.

13. Today, Adv. Tarun Ranga counsel appearing on behalf of the respondent requested the Authority, that RERA Rate of Interest as per Rule 15 of RERA Rules, 2017 may not be imposed on the respondent since they have filed an application dated 27.05.2025 requesting extension of period for moratorium stating that an application has been sent to Ministry of Housing and Urban Affairs seeking clarification of applicability of RERA Act on Statutory bodies such as HSVP and a reply is awaited. That they are also in the process of filing in SLP in the Hon'ble Supreme Court against the orders passed in CWP 4760 of 2020 titled Anil Kumar Yadav and other V. State of Punjab & Haryana High Court. Further, since respondent is a Government organization and getting approval through proper channel takes time, therefore, Adv. Tarun Ranga requested that a moratorium of at least nine months may kindly be granted and this period may be treated as zero period for the purposes of penalty and interest thereon.

14. Acceding to the request of counsel, Adjourned to **03.12.2025.**

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

Haryana Real Estate Regulatory Authority • Panchkula •