HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 2249 OF 2022

HRERA, Panchkula ....COMPLAINANT

VERSUS

Haryana Shehri Vikas Pradhikaran ....RESPONDENT

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

Date of Hearing: 28.05.2025

Hearing: 13th

Present: Adv. Tarun Ranga, representing HSVP.

ORDER (Parneet S Sachdev-Chairman)

This Suo-motu complaint was registered against the respondent for not uploading quarterly progress reports of a residential colony registered vide Registration No. HRERA-PKL-HSR-125-2019 dated 25.06.2019 valid upto 31.12.2020.

2. When this matter was considered on 03.04.2023, a penalty of ₹1,000/- per day was imposed for not filing quarterly progress reports on web portal of Authority.

3. On 16.10.2023, the respondent promoter was granted last opportunity to comply with the orders failing which the Authority will be constrained to impose penalty of ₹5 lac U/s 61 read with Section 63 for contravention of the provisions of the Act.

4. On 18.12.2023, the Authority imposed a penalty of ₹5 lac U/s 61 read with Section 63 for contravention of the provisions of the Act and not complying with the orders of the Authority. It was further made clear that penalty of ₹1000 per day shall continue till the date quarterly progress reports are filed by promoter.

5. On 21.02.2024, the Authority directed the office to provide Login ID and Password to the promoter so that quarterly progress reports can be uploaded online. The Authority also directed the promoter to pay penalty of ₹5 lac as imposed on 18.12.2023 in the registry of the Authority before the next date of hearing. Login Id and Password were sent on the registered email of the promoter on 29.02.2024. The cumulative penalty from 03.04.2023 till 21.02.2024 amounts to ₹3,25,000/-. Said QPRs have not been filed till date. The respondent promoter was directed to deposit the above said amount in the registry of the Authority before the next date of hearing. It was further made clear that penalty of ₹1,000/- per day shall continue till the date quarterly progress reports are filed by promoter.

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. Acceding to the request of the promoter, the Authority granted time to the promoter to file reply.

The Authority observed that the promoter has failed to upload the quarterly reports even after giving several opportunities, the penalty of

Rs.1,000 per day imposed on 03.04.2023 was enhanced to Rs.10,000 per day from 10.04.2024 till quarterly progress reports are uploaded online.

The cumulative penalty from 03.04.2023 till 09.04.2024 amounts to ₹3,73,000/-. Said QPRs have not been filed till date. The respondent promoter was directed to deposit the said amount in the registry of the Authority before the next date of hearing. It was further made clear that penalty of ₹10,000/- per day shall continue till the date quarterly progress reports are filed by promoter.

7. On 05.06.2024, learned counsel Sh. Tarun Ranga appeared and informed that the QPRs will be uploaded online on the web portal of the Authority today. The Authority directed that the Promoter should upload the QPRs upto first quarter of 2024. The Authority was of the view that the promoter has failed to upload the quarterly reports even after giving several opportunities, the penalty of ₹ 10,000 per day imposed on 10.04.2024 is being enhanced to ₹ 25,000 per day from today till quarterly progress reports are uploaded online.

The Authority directed the promoter to pay penalty of ₹5 lac as imposed on 18.12.2023 in the registry of the Authority before the next date of hearing. The cumulative penalty from 03.04.2023 till 04.06.2024, amounts to ₹9,33,000/-. Said QPRs have not been filed till date. The respondent promoter should therefore deposit the said amount in the registry of the Authority before the next date of hearing. It is further made clear that penalty of ₹25,000/- per day shall continue till the date quarterly progress reports are filed by promoter.

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. On the last date of hearing i.e., 18.12.2024, 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. On 12.03.2025, Adv. Neeraj Goel appeared 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 appearing on behalf of the respondent requested the Authority that RERA Rate of Interest as per Rule 15 of the 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