



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1960 of 2022

HRERA, Panchkula

...COMPLAINANT

VERSUS

Mapsco Builders Pvt Ltd.

....RESPONDENT

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

Chairman
Member
Member
Member

Date of Hearing: 23.04.2025

Hearing: 11th


Present: Adv. Sumesh Malhotra through video conferencing.

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. HRERA-PKL-SNP-72-2018 dated 14.12.2018 valid upto 30.06.2019.

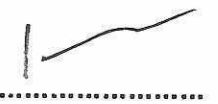
2. On 09.10.2024, neither anyone appeared on behalf of respondents nor online QPRs upto the date of grant of completion certificate have been filed. Taking note of the same, the Authority granted another opportunity to file the same upto the date of grant of completion certificate by the competent Authority.
3. On 11.12.2024, Adv. Tarun Ranga appearing on behalf of respondents informed that the respondents are taking up the matter with DTCP Haryana regarding issuance of completion certificate since it is a "commercial colony" and only occupation certificate has been granted. He apprised the Authority that they will formally apply for completion certificate to DTCP, Haryana and submit the response of the Department in this regard, before the next date of hearing. He further informed that during the course of hearing on 28.02.2024, the Authority had announced that this Suo Motu Complaint is disposed of, however, when the orders dated 28.02.2024 were uploaded on the web portal on 01.05.2024, the respondents got to know that QPRs have to be uploaded upto the date of grant of completion certificate. Therefore, he requested that the penalty be charged from the date of uploading of orders i.e., 01.05.2024.
4. The Authority thereafter granted another opportunity to the respondent to file QPRs and deposit the cumulative penalty from 01.05.2024 till 09.10.2024 amounting to Rs 16,20,000/- in the registry of the Authority before the next date of hearing. He further requested the Authority that penalty be not imposed till the decision of the DTCP Haryana is conveyed with regard to the grant of completion certificate.
5. On the last date of hearing, i.e., 05.02.2025, Adv. Sumesh appearing on behalf of respondent informed that QPRs upto 31.12.2024 have been filed on 28.01.2025 and they have applied for grant of completion certificate to DTCP, Haryana on 14.01.2025, however, the penalty has not been deposited. Authority granted one last opportunity to the respondent to deposit the said penalty of Rs. 16.20 Lakhs in the registry of the Authority before the next date of hearing.

6. Today, Adv. Sumesh Malhotra appearing on behalf of respondent informed that they are filing appeal against the order passed by the Authority regarding imposition of penalty of ₹16.20 Lakhs. Taking note of the above, the Authority on 23.04.2025 had decided that this suo motu complaint be disposed of and matter may be sent to the Execution Branch for recovery of amount as per law. Meanwhile, the Hon'ble High Court in CWP no. 14937 of 2024 titled as "M/s Vatika Ltd. versus Union of India and Others" dated 24.04.2025, has quashed notification no.50/15/2024-5S(1) dated 11.05.2024, vide which powers to execute order of Hon'ble Authority were delegated to the Adjudicating Officer by the Competent Authority while exercising powers under Section 81 of the Act, 2016, and therefore the Execution Branch has no authority to pass any constructive order with regard to executions. In simple words, it can't pass any order as this power is now to be exercised by Hon'ble Authority.
7. In view of the above, the Authority directs the respondent to either comply with the orders of Authority vide which penalty of ₹ 16.20 Lakhs has been imposed or submit the orders of Hon'ble Appellate Tribunal granting stay in the present matter.
8. Adjourned to 13.08.2025.


Chander Shekhar
Member


Dr. Geeta Rathee Singh
Member


Nadim Akhtar
Member


Parneet S Sachdev
Chairman