

BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

Appeal No. 276 of 2025 (O& M)
Date of Decision: 10.06.2025

M/s Aarcity Builders Pvt. Ltd. through its Authorised Representative Sh. Jaikishan Verma aged about 25 years son of Shri Bhupendra Kumar Verma, having its registered office at 301, Krishna Apra, Business Square, Netaji Subhash Place, Pritampura, Delhi-110034

Appellant

Versus

Haryana Real Estate Regulatory Authority Panchkula through its Chairman having office at Mini Secretariat (2nd and 3rd Floor), Sector 1, Panchkula-134114.

Respondent

CORAM:

Justice Rajan Gupta	Chairman
Shri Rakesh Manocha	Member (Technical)

Present: Mr. Neeraj Goel, Advocate,
for the appellant.

O R D E R:

Rajan Gupta, Chairman (Oral):

Present appeal is directed against order dated 04.12.2024 passed by the Authority¹, operative part whereof reads as under:

“5. On the last date of hearing, i.e., 28.08.2024, the Authority after considering the reply dated 09.07.2024 directed that Quarterly Resolution Plan of the Project be submitted atleast one week before the next date of hearing and also, Director/Managing Director of the Company be physically present on the next date.

6. Today, Adv. Venkata Rao appearing on behalf of respondent apprised that neither the reply has been

¹ Haryana Real Estate Regulatory Authority Panchkula

filed nor the director has come present before the Authority. He further requested for some more time to submit the detailed tower wise quarterly resolution plan alongwith the present status of registration of all the towers and whether Occupation Certificate/Completion Certificate has been received or not. The Authority further imposes a cost of Rs. 1 Lac for non-appearance of the Directors, which should be deposited before the next date of hearing.

7. Acceding to the request of counsel, Adjourned to 29.01.2025.”

2. At the outset, Mr. Goel submits that *suo moto* proceedings initiated by the Authority have now culminated, thus, no cause of action survives in relation to the said proceedings. However, his contention is that the costs of Rs.1,00,000/- imposed on the appellant-promoter for non-appearance of its Director are on the higher side, as they were available through VC and were represented by the counsel. He only prays that the costs be reasonably reduced. He undertakes that 50% of the said amount shall be deposited with the **Institute for the Blind, Sector 26, Chandigarh.**

3. We accept the prayer made by learned counsel. We feel that the costs imposed are on the higher side, thus, we deem it fit to reduce the same from Rs.1,00,000/- to Rs.50,000/-. Out of this amount, the appellant-promoter shall remit an amount of Rs.25,000/- as per the undertaking given by the counsel. Receipt thereof be produced in the Registry within one month from today.

4. Appeal is partly allowed in the aforesaid terms.

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5. Copy of this order be sent to the parties, their counsel and the Authority below.
6. File be consigned to the records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Rakesh Manocha
Member (Technical)

10.06.2025
Manoj Rana