HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. (Suo-Motu) 2064 of 2023

HRERA, Panchkula ...COMPLAINANT

VERSUS

RPS Infrastructure Ltd. ....RESPONDENT

CORAM:	**Parneet S Sachdev**	**Chairman**
	Nadim Akhtar	**Member**
	Chander Shekhar	**Member**

Date of Hearing: 09.04.2025

Hearing: 7th

Present: Adv. Garvit Gupta on behalf of respondent through video conference

ORDER (PARNEET S SACHDEV - CHAIRMAN)

Present suo-motu complaint was registered against the respondent promoter for changing the existing RERA Bank Account in Vijaya Bank (830100301000874) to new Bank Account in IndusInd Bank (259818034793) of project namely; "RPS Auria Phase 2-Tower T-I, T-3, T-5 & Support & Recreational Building"- Group Housing Colony on land measuring 40754.81 sq.

mtrs. situated in village Palwali, Kheri Kalan and Baselwa, Faridabad registered vide Registration No. 199 of 2017 dated 15.09.2017 valid upto 14.09.2024.

2. On 10.01.2024, it was observed that since the respondent has changed its bank account without the permission of the Authority, it has violated the provisions of the Act, therefore, respondent was burdened with a penalty of ₹3,00,000/- to be paid before the next date of hearing.

3. The respondent vide application dated 24.07.2024 has requested to recall of order dated 10.01.2024 and setting aside of penalty of ₹3 lacs imposed on him. The respondent has stated that the order dated 10.01.2024 has been passed without jurisdiction and is liable to be set aside as no violation of any provision of the RERA Act, 2016 has been committed by respondent by changing the bank account pertaining to the project in question.

4. In the hearing held on 09.10.2024 and 04.12.2024, Sh. Vaibhav Deeka, proxy counsel for the respondent appeared and sought adjournment as arguing counsel was not available.

5. On the last date of hearing i.e., 29.01.2025, Authority asked the learned counsel about the date of opening of bank account in IndusInd Bank and the date of intimation regarding said change to the Authority. To this, ld. counsel sought a pass over in the matter to enquire about the said dates from the respondent,

however, towards the end of the meeting his name was called to which he did not respond.

6. Today, Adv. Garvit Gupta appearing on behalf of respondent informed that the question of imposition of penalty by the Authority does not arise since there is no mandate under RERD Act, 2016 or rules and regulations framed thereunder to seek prior permission before changing the bank account. Ld. counsel further informed verbally about the date of opening of bank account in IndusInd Bank and the date of intimation regarding said change to the Authority, however, Authority directed the respondent to file a written reply in this regard in each matter pertaining to the change in bank account. The Authority further observes that as per Section 25 read with Section 27 of the Haryana Real Estate Regulatory Authority, Panchkula (General) Regulations, 2018, the Authority has the inherent powers to pass such orders as may be necessary for meeting the ends of justice or to prevent the abuse of the process of the Authority. Further, Authority has the powers to deal with any matter or exercise any power under the Act or Rules for which no regulations have been framed and the Authority may deal with such matters, powers and functions in a manner it thinks fit. In view of the above, the respondent is directed to submit written reply to the averments made verbally along with the penalty of Rs 3 Lacs already imposed by the Authority.

7. Adjourned **30.07.2025**

Chander Shekhar
Member

Nadim Akhtar
Member

Parneet S Sachdev
Chairman

Haryana Real Estate Regulatory Authority • Panchkula •