HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 2251 of 2022

HRERA, Panchkula ...COMPLAINANT

VERSUS

E.O, HSVP, Bhiwani ....RESPONDENT

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

Date of Hearing: 14.05.2025
Hearing: 7th
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 project registered vide Registration No. HRERA-PKL-BWN-70-2018 dated 21.11.2018 valid upto 31.03.2019.

2. As per provisions of Section-11 of the Real Estate (Regulation & Development) Act, 2016 read with Rule-14(vii)(d) of the Haryana Real Estate (Regulation & Development) Rules, 2017, promoters of registered real estate

projects are required to upload quarterly progress reports on the web portal of Authority within 15 days of the expiry of each quarter.

3. It has been observed that promoter is not uploading the quarterly progress reports of above-mentioned project, thus, violating provisions of Section-11 of the Real Estate (Regulation & Development) Act, 2016 and Rule-14 (vii)(d) of the Haryana Real Estate (Regulation & Development) Rules, 2017.

4. In view of aforesaid, show-cause notice dated 24.08.2022 was issued to the promoter wherein the promoter was directed to submit online quarterly progress reports up to 2nd quarter of the year 2022 within a period of 30 days on the website of the Authority, failing which promoter will be liable for penal action U/s 63 of the RERA Act, 2016.

5. On 10.04.2023, neither anyone appeared before the Authority nor quarterly progress reports were uploaded. The Authority decided to grant one last opportunity for uploading quarterly progress reports within a period of 30 days failing which penalty of Rs.1000/-per day shall be imposed.

6. On 31.01.2024, the Authority observed that the quarterly progress reports have not been uploaded online by the respondent promoter. The Authority therefore imposed a penalty of Rs.1000/- per day from today till the quarterly progress reports are uploaded online.

7. On 08.05.2024, learned counsel Sh. Tarun Ranga appeared and informed that the QPRs upto 31.03.2024 have been uploaded online on the web portal of the Authority. The promoter sought time to deposit the penalty imposed on 31.01.2024. The Authority observed that the promoter has duly uploaded QPRs upto 31.03.2024 on 26.04.2024.The cumulative penalty of Rs.1000/- per day imposed on 31.01.2024 till 25.04.2024 works out to Rs.86,000/-. The Promoter was directed to deposit the said penalty in the registry of the Authority before the next date of hearing.

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 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. 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 with the directions to deposit the penalty imposed earlier vide order dated 31.01.2024 (which works out to ₹86,000/-) in the registry of the Authority before the next date of hearing.

12. On the last date of hearing, i.e., 05.03.2025, Adv. Tarun Ranga appeared and requested 10 days 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 and penalty of ₹86,000/- imposed earlier vide order dated 31.01.2024 be deposited in the registry of the Authority 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