HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1747 of 2022

HRERA, Panchkula ...COMPLAINANT

VERSUS

Khatushyam Projects Pvt. Ltd. ....RESPONDENT

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

Date of Hearing: 07.05.2025

Hearing: 7th

Present: Adv. Tarun Ranga on behalf of Respondent.

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. 323 of 2017 dated 17.10.2017 valid upto 16.10.2022.

2. In view of aforesaid, show-cause notice dated 27.07.2022 was issued to the promoter.

3. Vide reply dated 11.01.2023, the promoter has submitted that they have obtained two licences bearing no. 55 & 57 of 2017. The promoter has completed all the development works at site and obtained completion certificate vide memo no. LC-3320 & 3321/JE(SJ)/2022/29573 dated 29.09.2022. The promoter has submitted that they have not sold or booked a single plot in the

said project and not received a penny from any prospective buyer (a CA certificate dated 09.01.2023 mentioning the same is enclosed).

4. On 22.05.2024, the Authority observed that penalty cannot be waived of since submission of online A to H and uploading of QPRs on the web portal is the statutory liability of the promoter. Before linking the online form A to H with the Registration no. 323 of 2017, the Authority directs the promoter to show cause as to why RERA bank account has been changed without prior permission the Authority.

Further, the Authority directed the promoter to submit copy of agreement to sell, allotment letter, service plan estimates, standard designs of SCOs and environmental clearance certificate.

5. The cumulative penalty from 18.12.2023 to 27.08.2024 worked out to ₹ 6,46,000/-. On 28.08.2024, the penalty of ₹ 5,000/- per day imposed on 22.05.2024 was enhanced to ₹ 10,000/- per day till quarterly progress reports are uploaded online. The cumulative penalty from 18.12.2023 to 18.02.2025 worked out to ₹ 23,96,000/-.

6. On 19.02.2025, the counsel informed that they have filed reply yesterday. The counsel requested to waive of the penalty as they were unable to upload QPRs due to non-linking of RC with the form A to H form.

The Authority observed that it is the duty of the promoter to provide correct details in the form A to H. Further, Authority directs the office to examine the reply dated 18.02.2025 and if correct details of RERA account have been submitted then Registration no. 323 of 2017 be linked with the form A to H submitted by the promoter. The promoter is directed to upload the QPRs within 15 days after linking of form A to H with RC no. 323 of 2017 failing which penalty of ₹ 25,000/- per day will be imposed till quarterly progress reports are not uploaded online.

7. Vide reply dated 18.02.2025 the promoter has submitted agreement to sell, allotment letter, approval letter of service plans/estimates (However copy of approved plans have not been enclosed) and standard designs of SCOs. The promoter stated that EC is not applicable on this project. The promoter states that they have changed the Bank Account from 4184002100016720 to 16800200001357 only for the reason that they have started dealing with Federal Bank Ltd because Federal Bank is their tenant. They haven't received a single rupee in both the account before obtaining the Completion Certificate. The promoter requests that the penalty imposed upon us shall be waived since they are unable to upload QPRs due to non-linking of form A to H submitted. Vide letter dated 21.03.2025 (Dak 41760), the promoter has submitted request to change their bank details submitted in application for registration of project under HRERA. Vide letter dated 21.03.2025 (Dak 41762), the promoter has also submitted details of their previous account and details of new account and request to change the same.

8. After consideration, Authority directs the office to verify the old account from registration and make necessary changes in REP I Part D of the form A to H submitted by the promoter. After these changes are made, Registration no. 323 of 2017 be linked with the online form A to H submitted by the promoter.

9. Since request to change the RERA bank account has been received from the promoter, corrigendum be issued in this regard. The promoter is directed to submit copy of service plans/estimates and deposit cumulative penalty of ₹ 23,96,000/-.

Further, the promoter is directed to upload the QPRs within 15 days after linking of form A to H with RC no. 323 of 2017 failing which penalty of ₹ 25,000/- per day will be imposed till quarterly progress reports are uploaded online.

10. Adjourned to **08.10.2025**.

CHANDER SHEKHAR
MEMBER

NADIM AKHTAR
MEMBER

PARNEET S SACHDEV
CHAIRMAN

Real Estate Regulatory Authority • Panchkula •