HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. (Suo-Motu) 2810 of 2022

HRERA, Panchkula ...COMPLAINANT

VERSUS

Ozone GSP Infratech Sarvome House ....RESPONDENT

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

Date of Hearing: 09.07.2025
Hearing: 8th
Present: Mr. Amrit Singh for the respondent through VC.

ORDER (PARNEET S SACHDEV - CHAIRMAN)

Present suo-motu complaint was registered against the respondent promoter for neither completing the project within the timelines declared u/s 4(2)(l)(c) at the time of seeking registration nor applying for extension of project namely; "The Presidio" a Group Housing colony measuring 1.744 acres in Sector-31, Village Atmadpur, Faridabad registered vide Registration No. 276 of 2017 dated

09.10.2017 valid upto 08.10.2020. After granting benefit of covid period the registration stands expired on 08.07.2021.

2. A show cause notice dated 20.10.2022 was issued to the respondent promoter directing to furnish information relating to the status of the Project on the date of expiry of registration under the provisions of Section 35 of the Real Estate (Regulation and Development) Act, 2016.

3. When the matter was heard on 07.08.2023, Authority directed the office to provide Login ID to the respondent and also directed the respondents to submit a penalty of ₹ 50,000/- for not complying with the orders of the Authority. Further, the Authority directed that the ban on sale of unsold inventory or creation of any third party rights in the project imposed vide order dated 17.04.2023 will continue till extension is granted in the project.

4. On 18.12.2023, wherein promoter was directed to show cause as to why penalty of ₹5 lac be not imposed upon him under Section 61 read with Section 63 of the RERA Act, for contravention of the provisions of the Act and not complying with the orders of the Authority. The Authority further directed the respondent to deposit the penalty of ₹50,000/- in the registry of the Authority before the next date of hearing.

5. On 10.04.2024, respondent was directed to file its reply in the office of the Authority and also to deposit the earlier imposed penalty of ₹50,000/- before the

next date of hearing. It was further observed that the decision with regard to imposition of penalty of ₹5 lac under Section 61 read with Section 63 of the RERD Act will be taken by the Authority on next date of hearing after examining the reply of the respondent.

6. The respondent vide reply dated 15.04.2024 has submitted that the project was initially financed with State Bank of Patiala, which later merged with State Bank of India. After the merger of the banks, the Bank suddenly suspended the further funding and illegally withdrew certain limits, leading to the project being stalled and account turning NPA. The respondent tried to resolve the matter with State Bank of India amicably, however, the matter finally went into litigations which is currently subjudice before Hon'ble Debt Recovery Tribunal, Delhi where the company has filed its claim against the Bank. The homebuyers are updated about the situation and have appreciated the circumstances compelling the project getting delayed. There are no complaints by the homebuyers against the project. The company is currently not having any bank account and is therefore unable to accept any funds or make any expenditure. The other approvals of the project such as Airport authority, building plans, environment clearance have also lapsed. The company has not made any sale or accepted any funds from any of its customers due to aforesaid litigations and undertakes that it shall not make any sale unless registration with the Authority is renewed. The company currently cannot foresee

the duration for resolution of the matter with State Bank of India and in such circumstances the company is unable to seek the renewal of registration and request has been made to allow time to seek extension of the project.

7. On 12.06.2024, the matter was adjourned with direction to the respondent to file for extension of the project. It was further made clear that respondent will be liable to pay late fee and penalty for not seeking extension in time as per resolution passed by the Authority vide item no. 261.34 dated 07.08.2024.

8. On 02.04.2025, the Authority observed that no application for extension of registration of the said project had been received till date. The Authority directed one of the partners of the firm to be personally present on the next date of hearing. The respondent promoter was also directed to deposit penalty of ₹ 50,000/- before the next date of hearing. The Authority granted last opportunity to the promoter to submit extension application of the project.

9. Today, representative on behalf of the respondent promoter appeared and informed that they have filed an appeal before the Hon'ble Appellate Tribunal against the orders of the Authority and the same is yet to be listed. Further, informed that the project is currently subjudice before the Hon'ble Debt Recovery Tribunal, Delhi.

10. Authority observes that since no stay has been granted by the Appellate Tribunal, therefore, the respondent promoters are directed to comply with the last

orders of the Authority atleast one week before the next date of hearing. On the last date of hearing, the Authority directed one of the partners of the firm to be personally present. Since no one was physically present before the Authority, it is decided to impose costs of ₹ one lac which has to be paid by the respondent in the registry of the Authority before the next date of hearing.

11. **Adjourned to 29.10.2025.**

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