NON- COMPLIANCE OF CONDITIONS OF REGISTRATION CERTIFICATE HEARING BRIEF					
S. No.	Particular	Details			
1.	Registration certificate no.	655/387/2022/130			
2.	Date of Registration	23.12.2022			
3.	Date of expiry of validity of registration	30.06.2024			
4.	Name of promoter	M/s Vatika Ltd.			
5.	Name of project	Aspiration			
6.	Area of project	19.70 Acres			
7.	Nature of project	Affordable Residential Plotted Colony under DDJAY			
8.	Location of project	Sector-88B, Gurugram			
9.	Suo-motu complaint no.	RERA-GRG-3578-2024			
10.	Status of compliance done by the promoter				
	Conditions	Compliance due date	Date of approval obtained on	Whether compliance done within time frame	
	Approved zoning plan within 3 months	23.03.2023	16.01.2023	Within time	
	Approved service plans and estimates within 3 months	23.03.2023	20.09.2024	Delay of 547 days	
	Approved electrical load availability connection within 1 month	23.01.2023	12.01.2023	Within time	
11.	Details of refundable security submitted by the promoter				
	Name of the bank	No. And date of refundable security	Amount	Submitted for	
	HDFC Bank	Ch. 004201 dated 23.12.2022	25 lacs	Approved zoning plan	
	HDFC Bank	Ch. 004202 dated 23.12.2022	25 lacs	Approved service plan & estimates	
12.	File status	Date			
	First show cause notice sent on	22.07.2024			
	First hearing on	08.08.2024			
	Second hearing on	12.09.2024 (adjourned)			

	Third hearing on	10.10.2024 (adjourned)
	Fourth hearing on	20.03.2025
13.	**Case history**	

1. An application for registration of the above real estate project under section 4 of the Real Estate (Regulation and Development) Act, 2016 was submitted to the Authority by **M/s Vatika Ltd.** and after due consideration, the said real estate project was conditionally registered with the Haryana Real Estate Regulatory Authority Gurugram.
2. As per the records of the Authority, the promoter submitted the approved zoning plan and approved electrical load availability connection in the Authority within the stipulated time period. Accordingly, the security amount of Rs. 25 lakhs submitted on account of timely submission of zoning plan was refunded to the promoter on 19.07.2024. Since, the promoter failed to submit the approval of service plans and estimates in the Authority, a show cause notice dated 22.07.2024 for forfeiture of security amount submitted in lieu of timely submission of the same was issued to the promoter with an opportunity of hearing on 08.08.2024.
3. Proceedings dated 08.08.2024

   Ar. Neeraj Gautam (Associate Architectural Executive) briefed the facts of the case.

   Sh. Jitender Kumar (AR) appeared on behalf of the promoter and stated that the Service Plan Estimate has been approved and recommended by the Chief Engineer, Infra-II, GMDA, Gurugram to Director General, Town & Country Planning department, Chandigarh on 09.11.2022 and two Bank Guarantees amounting to Rs. 1,63,96000/- and Rs. 39,75,000/- towards Service cost Estimate were submitted to the DG, TCP on 17.09.2022. The outstanding dues EDC/IDC have been paid on 07.08.2024. The AR of the promoter seeks more time to submit the final approval of service plans and estimates in the Authority and requests to condone the delay.

   However, it is not disputed that the promoter was granted conditional registration at its own accord and depositing of security amount in the form of cheque in lieu of submission of the requisite clearances within the time specified in the conditional registration. It was clearly mentioned in the registration certificate that this security amount shall be forfeited by the Authority in case the promoter fails to submit the approved zoning and approved service plans and estimates within the stipulate time.

   In view of the above, the security amount of Rs. 25 lacs submitted by the promoter on account of timely submission of the approved service plans and estimates is hereby forfeited. The promoter is directed to submit the final approval of service plans and estimates within one month failing which legal consequences may follow.

   The matter to come up for review after one month on 12.09.2024.
4. On 12,09,2024, the matter was adjourned to 10.10.2024. On 10.10.2024, the matter was again adjourned to 20.03.2025. Thereafter, the matter got fixed for hearing on 07.08.2025.

	5. In the reply dated 20.09.2024, the promoter has submitted the approval of service plans and estimates obtained vide memo dated 20.09.2024. **(Neeraj Gautam)** **Associate Architectural Executive**
Day and date of hearing	Thursday and 07.08.2025

Ar. Neeraj Gautam (Associate Architectural Executive) briefed the facts of the case.

Sh. Jitender Kumar (AR) appeared on behalf of the promoter and stated that the approval of service plans & estimates dated 20.09.2024 has been submitted to the Authority vide Dak dated 26.09.2024.

Since the promoter has submitted the approval of service plans and estimates in the Authority, although with a delay and the security amount deposited on account of timely submission of the same stands forfeited on 08.08.2024, the case is filed.

(Ashok Sangwan)
Member, HARERA, Gurugram