

**BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL**

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**Date of Decision: August 20, 2025**

**Appeal No.931 of 2024**

M/s. Signature Infrabuild Private Limited, Registered Office: Ground Floor, Tower-A, Signature Tower South City-1, Gurugram, Haryana-122001, through its Authorized Representative Mintu Kumar son of Arvind Prasad Singh.

Appellant.

Versus

Haryana Real Estate Regulatory Authority, PWD Guest House, Old Railway Road, Civil Lines, Gurugram, Haryana-122001.

Respondent

Argued by: Mr. Kunal Dawar, Advocate along with  
Ms. Tanika Goyal, Advocate and  
Ms. Ankita Chaudhary, Advocate for the appellant

None for the respondent.

**CORAM:**

**Justice Rajan Gupta**  
**Shri Rakesh Manocha**

**Chairman**  
**Member (Technical)**

**ORDER:**

**RAJAN GUPTA, CHAIRMAN:**

Present appeal is directed against order dated 22.03.2024 passed by the Authority<sup>1</sup>. Operative part thereof reads as under:

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

*Sh. Vedant Batra (CS) and Sh. Ravinder (Executive) appeared on behalf of the promoter. He states that the promoter had applied for the requisite clearances on time but the delay was on the part of the concerned department.*

*However, it is not disputed that the promoter was granted conditional registration at its own accord and*

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<sup>1</sup> Haryana Real Estate Regulatory Authority, Gurugram

*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 these cheques shall be forfeited in case the conditions are not fulfilled by the promoter within the stipulated time period mentioned in the conditions.*

*In view of the fact that the promoter has failed to submit the approval of fire scheme and, service plans and estimates within the specified timeline of three months as per conditions of the registration certificate no. 665/397/2023/09 dated 13.01.2023, the security deposited by the promoter in lieu of the timely submission of the above approval is hereby forfeited. The security amount submitted for compliance of RC no. 08 of 2023 was considered for security against service plans and estimates approval in RC no 09 of 2023 as well and already stands forfeited in RC no. 08 of 2023.*

*Further, the security amount submitted in lieu of the environmental clearance shall be refunded as the same is obtained by the promoter within the stipulated time.*

*The matter stands disposed of.”*

2. Aforesaid order has been challenged by the appellant-promoter<sup>2</sup> on the ground that same is unsustainable. The pleas raised by the appellant-promoter have not been considered in the right perspective by the Authority. Besides, the order is non-speaking and cryptic in nature and does not deal with all the pleas raised by the appellant-promoter at the stage of hearing.

3. Respondent-Authority has filed reply and refuted the submissions.

4. Learned counsel for the appellant contended that the appellant-promoter applied for fire scheme approval to the concerned department on 03.01.2023, well in time, and due date for submission of the same before the Authority was 13.04.2023. Same was granted by the Director General, Fire

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<sup>2</sup> M/s Signature Infrabuild Private Limited

Service Haryana, Panchkula on 27.05.2023, as such delay of 44 days occurred in grant of same. Similarly, the appellant-promoter applied for service plan estimates to the Executive Engineer, HSVP, Panchkula on 24.03.2021 i.e. almost two years before the date on which the matter was to come up before the Authority. The fire scheme approval was ultimately granted on 27.05.2023 by Director General, Fire Service Haryana, Panchkula and service plan estimates by the DTCP, Haryana on 11<sup>th</sup> July, 2023. Thus, there was no delay on the part of the appellant-promoter in performing its part of the duty. Authority while passing the impugned order, ignored the fact that application for RERA registration was submitted by the appellant-promoter well in time. However, the delay in submitting fire scheme approval and service plan estimates occurred due to the reasons beyond the control of the appellant-promoter. The action of forfeiting security of Rs.25,00,000/- each in respect of approval of fire scheme and service plan estimates is, thus, unjust, harsh and discouraging for an entrepreneur.

5. No clear response is forthcoming on behalf of the Authority.

6. Having heard learned counsel and perusal of the record, there appears to be substance in the plea of the appellant-promoter. A perusal of the order shows that all the pleas raised by the appellant-promoter before this Bench have not been considered by the Authority to the extent the same is non-speaking and cryptic in nature.

7. While deciding the issue, which arises before the *quasi judicial* body, it is obligatory on its part to examine all aspects and give findings after considering the same. In case,

pleas are not considered and the order does not contain reasons for arriving at the conclusion, it renders the orders indefensible. In the instant case, the effect of delay in granting fire scheme approval and the service plan estimates by the concerned authority has not been considered by the Authority. These pleas of the appellant need to be dealt with by the Authority.

8. Keeping in view the entire facts and circumstances of the case, this Bench feels that the impugned order needs to be set aside being cryptic and non-speaking in nature.

9. Ordered accordingly.

10. The matter is remitted to the Authority for decision afresh after affording opportunity of hearing to the appellant-promoter.

11. Appellant-promoter is directed to remain present before the Authority below on 15.09.2025 at 11:00 AM sharp.

12. Appeal is allowed in the manner indicated above. Nothing stated hereinabove shall be construed to be expression/opinion on the merits of the case.

13. Copy of this order be communicated to the appellant-promoter, its counsel and the Authority below.

14. File be consigned to the records.

Justice Rajan Gupta  
Chairman  
Haryana Real Estate Appellate Tribunal

Rakesh Manocha  
Member (Technical)  
(joined through VC)

Pronounced:  
August 20, 2025/Manoj Rana