HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. (Suo-Motu) 2064 of 2023

HRERA, Panchkula ...COMPLAINANT

VERSUS

RPS Infrastructure Ltd. ....RESPONDENT

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

Date of Hearing: 30.07.2025

Hearing: 8th

Present: None on behalf of respondent.

ORDER (PARNEET S SACHDEV - CHAIRMAN)

Present suo-motu complaint was registered against the respondent promoter for changing the existing RERA Bank Account in Vijaya Bank (830100301000874) to new Bank Account in IndusInd Bank (259818034793) of project namely; "RPS Auria Phase 2-Tower T-I, T-3, T-5 & Support & Recreational Building"- Group Housing Colony on land measuring 40754.81 sq.

mtrs. situated in village Palwali, Kheri Kalan and Baselwa, Faridabad registered vide Registration No. 199 of 2017 dated 15.09.2017 valid upto 14.09.2024.

2. On 10.01.2024, respondent was burdened with a penalty of ₹3,00,000/-

3. The respondent vide application dated 24.07.2024 has requested to recall of order dated 10.01.2024 and setting aside of penalty of ₹3 lacs imposed on him. The respondent has stated that the order dated 10.01.2024 has been passed without jurisdiction and is liable to be set aside as no violation of any provision of the RERA Act, 2016 has been committed by respondent by changing the bank account pertaining to the project in question.

4. On 29.01.2025, Authority asked the learned counsel about the date of opening of bank account in IndusInd Bank and the date of intimation regarding said change to the Authority. To this, ld. counsel sought a pass over in the matter to enquire about the said dates from the respondent, however, towards the end of the meeting his name was called to which he did not respond.

5. On the last date of hearing, i.e., 09.04.2025, Adv. Garvit Gupta informed that the question of imposition of penalty by the Authority does not arise since there is no mandate under RERD Act, 2016 or rules and regulations framed thereunder to seek prior permission before changing the bank account. Ld. counsel further informed verbally about the date of opening of bank account in IndusInd Bank and the date of intimation regarding said change to the Authority, however, Authority

directed the respondent to file a written reply in this regard in each matter pertaining to the change in bank account.

The Authority further observed that as per Section 25 read with Section 27 of the Haryana Real Estate Regulatory Authority, Panchkula (General) Regulations, 2018, the Authority has the inherent powers to pass such orders as may be necessary for meeting the ends of justice or to prevent the abuse of the process of the Authority. Further, Authority has the powers to deal with any matter or exercise any power under the Act or Rules for which no regulations have been framed and the Authority may deal with such matters, powers and functions in a manner it thinks fit. In view of the above, the respondent is directed to submit written reply to the averments made verbally along with the penalty of Rs 3 Lacs already imposed by the Authority.

6. Today, neither any one appeared nor any reply has been received, therefore, Authority decides to grant last opportunity to deposit the said penalty atleast one week before the next date of hearing failing which Authority shall impose interest at the rate of SBI's highest marginal cost of lending rate (MCLR) + 2% as per Rule 15 of the RERA Rules, 2017.

7. Adjourned **29.10.2025**

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