



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 2364 of 2023

HRERA, Panchkula

...COMPLAINANT

VERSUS

M2M Buildtech Pvt Ltd.

....RESPONDENT

CORAM:

Parneet S Sachdev

Nadim Akhtar

Dr. Geeta Rathee Singh

Chander Shekhar

Chairman

Member

Member

Member

Date of Hearing: 01.10.2025

Hearing: 9th

Present: Adv. Jatin Sehrawat on behalf of IRP.

ORDER (Parneet S Sachdev-Chairman)

Haryana Real Estate Regulatory Authority, Panchkula had registered a real estate project of an Affordable Plotted Colony under DDJAY namely, "A-One Homes" being developed on land measuring 7.418 acres falling in the revenue estate of Village Kheri Sadh, Sector-27-A, Rohtak vide registration no. HRERA-PKL-ROH-334-2022 dated 13.09.2022.

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2. Subsequently, a letter dated 25.08.2023 was received from Sh. Rajiv Hooda, stating breach and violations of license conditions and unlawful, illegal and fraudulent acts by the respondents mentioning that about 150 court cases are pending against the promoter.
3. A show cause notice dated 16.10.2023 under Section 35 of RERA Act, 2016 was issued to the respondent and a copy of the same was also supplied to the complainant Sh. Rajiv Hooda.
4. Thereafter, the Authority vide its orders dated 10.01.2024 decided to club the complaint of another complainant Sh. Sanjay Hooda alongwith the present complaint since the matter in both complaints were identical.
5. On 07.02.2024, Authority directed the counsel of complainants to file a written reply to the averments made by them along with documentary evidence. Authority further directed the office to provide a copy of complaint to Sh. Rakesh Sharma and granted one last opportunity to file reply failing which the Authority will be constrained to revoke the said registration.

The office was further directed to send a copy of these orders to the Tehsildar, Rohtak to enquire as to how the sale of plots and execution of conveyance deeds by the respondent/promoter are being done without obtaining completion certificate and apprise the Authority about the total number of registries which have already been executed by them.

6. The respondents vide reply dated 04.03.2024 has informed as under:-

The respondents are working legally on project. Service plans of project have been approved by HUDA. All EDC/IDC payments have been made and therefore all plots are unfreezed. Moreover, their project is already registered with RERA. Complaint of Rajiv Hooda is false, concocted, baseless, vindictive, arbitrary and on fabricated grounds. Rajiv Hooda has received an amount of Rs 60,000/- and A one Homes have received Rs 3.29 Cr from bank accounts of respondent company. Sanjay Hooda falsely represented himself as partner of A one Homes. A one Homes through Sanjay Hooda had proposed that they would do

construction and development work and get approvals from concerned authorities. A one Homes is a benami firm. Rs. 2.80 Cr of respondent company was lying as a deposit with Govt. Authorities and Sh. Sanjay Hooda and A One Homes got adjusted for getting license. A-one Homes was not given marketing rights to sell the project land of respondents.

Sh. Sanjay Hooda had taken advances in account of A one Homes for selling plots of M2M. They have cheated the public, customers, M2M Buildtech and the Authority. Respondents have applied for name change with the Authority as per law. A One Homes including Sh. Rajiv Hooda have committed theft of documents from company. Criminal complaints have also been made against Sanjay Hooda to Police and CM Haryana. Moreover, A one Homes has already filed civil suit in civil court Rohtak and the same is pending as of now. Axis Bank Account of Company is being misused. Sh. Sanjay Hooda had made an entry of Rs 1,10,000/-to himself in pretext of making such payment to HRERA and further forged an entry of Rs 7.40 cr in the name of A-One Homes. Police complaint has also been made in this regard. Further there is no multiple selling of plots by M2M -complainant Sh. Rajiv Hooda and A one Homes are liable to pay damages to respondents and finally requested the Authority to dismiss complaint.

7. Sh. Rajiv Hooda on the other hand vide reply dated 06.03.2024 has informed that order of stay on sale of plots was passed by Authority in presence of two directors of M2M Buildtech Pvt. Ltd. However, Sh. Rakesh Kumar, Director of company has executed 5 sale deeds on the very next day of the orders and might have executed more later on. After collecting 14 Crores at time of grant license no 32 of 2014, they mislead the general public and faced more than 150 litigations. Therefore, he requested the Authority to intervene and cancel the sale deeds. He further requested to cease the bank account and stop the illegal laying of services as the promoter does not have approved service plans.

8. Further, letter to Tehsildar Rohtak was sent by the office on 12.03.2024 on which reply is still awaited.

9. On 20.03.2024, the Authority was of the view that there should be an absolute ban on the sale of plots and creation of third-party rights in the project.

Tehsildar, Rohtak was also directed not to execute any registries/conveyance deeds with regard to M2M Buildtech Pvt. Ltd. untill further orders of this Authority. Respondents were also directed to submit a copy of approved service plans/estimates to the Authority and comply with the other conditions imposed while granting registration of the project. Complainants were directed to quote particular sections of the statute which have been violated by the respondents and what remedy do they seek from this Authority. The Authority further directed the complainants and all the directors of the company to be personally present on the next date of hearing to assist the Authority in finding a solution.

10. On 01.05.2024, the Authority directed the respondents to collect the list of breaches of provisions as mentioned by the complainants vide letter dated 01.05.2024, from the projects section of Authority for their further comments on each and every issue. Further, the certified copy of order dated 20.03.2024 alongwith the reply filed by the respondents was supplied to the respondents during the course of hearing. Last opportunity was granted to the respondent and complainants to file their comments so that final decision could be taken.

11. On 07.08.2024, Adv. Shubnit Hans appeared on behalf of respondents and sought some time to file reply to the contentions of complainants. On the other hand, Adv Sudeep Gahlawat for complainants informed that License granted to the respondents has been suspended by DTCP, Haryana on 22.03.2024. Authority directs both the counsels to file written reply to the averments before the next date of hearing.

12. Vide Reply dated 03.09.2024, M2M Buildtech Pvt Ltd. has replied on all the averments made by the complainant and has denied all the allegations put forth by them. Promoter also prayed that imposition of any penalty or punishment under Section- 59 is neither justified nor warranted. The Promoter has requested to

dispose the matter and submitted the following in compliance of order dated 01.05.2024:

- i. Complaint No. 146 of 2024 has already been filed in complaint section therefore, procedurally redundant and unnecessary for complainant to initiate this suo-motu complaint.
- ii. Complainants are abusing the process of law to satisfy his personal vendetta.
- iii. It has always been the endeavour of the Respondent to comply with the provisions of RERA Act, 2016 and there has been no violation of the provisions of the RERA Act, 2016 that would warrant imposition of any punishment or penalty.
- iv. Registered address and correspondence addresses (are not wrong as averred by the complainant) are same as provided to the Authority.
- vii. The Promoter has duly uploaded project details along with Registration Certificate on web portal of the Authority.

13. On 13.11.2024, the Authority directed the Respondent Promoter to supply a copy of the reply dated 03.09.2024 to the Complainant. The Authority also directed the complainants to submit comments/reply in the Authority at least one week before the next date of hearing.

14. The complainant Sh. Rajiv Hooda submitted reply dated 26.03.2025 informing that the reply by respondent is a time delay tactics and the same is to misguide the Authority and create confusion. They further informed that the respondents did not have any Authorisation to file reply and Sh. Rakesh Sharma has signed the letter on behalf of Sh. Ram Rishi Parashar, who is actually the authorised person for NCLT court vide board resolution dated 22.03.2024. The complainant averred each para of the reply to be wrong and hence denied. The complainant prayed that Registration certificate be suspended since license has been suspended by DTCP Haryana and further cost of 10% of estimated cost of the project be imposed on the respondent and there shall be a complete ban on further sale/execution of sale

deeds of plots till completion of the project. The matter was adjourned to 02.04.2025.

15. On the last date of hearing i.e., 02.04.2025, no one appeared for the complainants, however, Adv. Shubhnit Hans appearing on behalf of the respondent informed that moratorium has been issued by Hon'ble NCLT and they are filing a specific reply in this regard in the registry of the Authority. Authority directed the office to examine the same and put up before the Authority on the next date of hearing.

16. Vide reply dated 04.09.2025, Sh. Rajiv Hooda complainant has requested to suspend the RC No. 334-2022 on the following grounds: -

- a) A similar complaint of breaches and violations of the terms and conditions of license no. 96 of 2022 were made to the DTCP on 11.07.2023 and 21.08.2023. The District Town Planner, Rohtak had sent the field Report on 13.09.2023.
- b) Licence no. 96 of 2022 dated 15.07.2022 was suspended under section 3(3A) of the Haryana Development and Regulation of Urban Areas Act, 1975.
- c) That in accordance with the Directorate office memo no. 10592 dated 22.03.2024, RTP Rohtak had requested the SHO Enforcement Thana Rohtak to lodge FIR against the accused colonizer vide its office memo no. 2416 dated 29.03.2024. That Enforcement thana Rohtak had lodged an FIR bearing no. 2986 dated 01.04.2024 against the licensee.
- d) That the accused licensee was granted a personal hearing on 18.04.2024 before the Director General, TCP Department and on the commitment of the accused licensee that they will deposit the Bank Guarantee within one month, (which was demanded and pending since 18.11.2022) the ban on

development was lifted for one month vide memo no. 13688 dated 06.05.2024





- e) That a request letter was sent to Enforcement Thana Rohtak by DTP Rohtak bearing memo no. 4125 dated 18.06.2024 to investigate the matter under IPC section 420.
- f) That the accused licensee failed in its commitment of depositing the Bank Guarantee within one month and the directorate (on failing the commitment made by the accused licensee at the time of hearing) vide order dated 22.03.2024 suspended the License. No further development work shall be carried out in the colony and no third-party rights be created as per DTCP letter dated 29.07.2024.
- g) That in reference to the DTP, Rohtak letter bearing memo no. 4125 dated 18.06.2024, the Enforcement thana investigated the matter and imposed section 420 of IPC Act on the licensee. The said FIR no. 2986 has been transferred to Haryana state crime department and at present the investigations are going on against the accused licensee.
- h) That Company's petition bearing no. 72 of 2024, under section 7 of IBC Rules has been filed in NCLT, Delhi against the accused licensee for recovery of the loan amount granted by my client as per court orders to its previous flat allottees of license no. 32 of 2014. In the said Company petition, the Authority has announced the moratorium against the licensee company on 24.03.2025.

He further informed that Authority can still take action against a builder, even during the moratorium period. The moratorium under Section 14 of the IBC is primarily a bar against actions related to debt, staying legal proceedings for debt recovery against a corporate debtor, but it does not protect against all actions,

particularly those initiated by a regulatory authority concerning the builder's license.

In view of the above letter dated 15.01.2024, the Authority held a meeting on 24.01.2024 deciding that a Suo moto complaint be registered against the promoter for violating the terms and conditions of the license. The Authority had lodged a Suo moto complaint bearing no. RERA-PKL-423-2024 for violating the terms and conditions of the license and a show cause notice dated 13.03.2024 was sent to the promoter. On 24.04.2024, the Authority had decided that the registration of the project be kept in abeyance as the license of the promoter was suspended by the DCTP. License no. 96 of 2022 was violated by the licensee/ promoter and in return the DTCP after verifying the allegations had suspended the license no. 96 on 22.03.2024, hence he requested the Authority to suspend the registration no. 334 of 2022 with immediate effect.

17. In view of the above, since the license no. 96 of 2022 dated 15.07.2022 was suspended by DTCP, Haryana vide order dated 22.03.2024 and FIR No. 2986 dated 01.04.2024 has also been lodged by the complainants in the police station therefore, at this stage, the Authority decides to dispose of the present complaint filed by the respondent and Registration No. HRERA-PKL-ROH-334-2022 dated 13.09.2022 granted to M2M Buildtech Private Limited be suspended, and the same be transferred to the list of suspended projects by the office. **Disposed of.** File be consigned to record room after uploading of orders.

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