HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. (Suo-Motu) 1890 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: 26.11.2025

Hearing: 13th

Present: None on behalf of respondent.

ORDER (Parneet S Sachdev-Chairman)

The present Suo-motu complaint was registered against the respondent promoter for not uploading quarterly progress reports of the real estate project namely; "The Presidio" registered vide Registration No. 276 of 217 dated 09.10.2017 valid upto 08.10.2020.

2. When the matter was heard on 11.12.2023, penalty of ₹1000/- per day imposed on 27.02.2023 was enhanced to ₹10,000/- per day till quarterly progress reports are uploaded online.

3. The matter was then heard on 06.03.2024 wherein Sh. Satish Kumar, counsel appearing on behalf of respondent sought time to comply with the order and last

opportunity was granted to respondent to file QPRs till which time the penalty of ₹10,000/- per day will continue.

4. On 12.06.2024, learned counsel for the respondent stated that QPRs have been filed upto 31.03.2023 on 10.06.2024 and sought time to pay the penalty. Accordingly, it was observed that respondent will be liable to pay a cumulative penalty from 27.02.2023 till 09.06.2024 of ₹21,07,000/-. The respondent promoter was therefore directed to deposit the above said amount in the registry of the Authority before the next date of hearing.

5. On 20.11.2024, since the said penalty of ₹21,07,000/- was not deposited by the respondent, one last opportunity to deposit the said penalty was granted failing which Rera rate of interest as per Rule 17 shall be charged. Further, Managing Director/One of the Directors were directed to be present on the next date of hearing.

6. On 19.02.2025, the Authority directed the respondent to deposit the penalty of Rs 21,07,000/- along with interest at the rate of SBI's highest marginal cost of lending rate (MCLR) + 2% as per Rule 15 of the RERA Rules, 2017 failing which recovery proceedings shall be initiated. Further, since Managing Director/one of the Directors have not appeared, a cost of Rs 1 Lac was imposed on the respondent for non-compliance of the order of the Authority.

7. On 07.05.2025, no one appeared on behalf of respondent nor the penalty and cost has been deposited. The Authority therefore granted one last opportunity to the respondent to file reply failing which penal action under Section 63 shall be taken against the respondent for not complying with the orders of the Authority. A copy of these orders were sent to the respondent through mail which was delivered on 19.08.2025 and through registered post which was delivered on 22.08.2025.

8. Despite delivery through mail and registered post, neither anyone appeared on behalf of respondent nor any reply filed. Taking note of the same, Authority on the

last date of hearing i.e., 27.08.2025 had directed the respondent to deposit the above cost and penalty alongwith additional cost of ₹1 Lac before the next date of hearing

9. Today, neither anyone appeared on behalf of respondent nor any reply has been filed. The Authority observes that the present Suo Motu Complaint has been pending since year 2022. The respondent was afforded several opportunities uptill 27.08.2025, despite the same it failed to fulfil its obligation to deposit penalty imposed by the Authority for non-compliances, which is a clear repeated violation of the provisions of the RERA Act and Rules or Regulations made thereunder. There seem to be an intentional non-compliance of the provisions of the Act on the part of the respondent, therefore, the Authority directs the office to issue a formal show cause notice to the respondent under Section 7 of the RERD Act, 2016 and call upon the promoter to furnish the following information within 7 days from the issuance of the notice:

a) The total amount so far collected/realized from the allottees.
b) Allottee-wise schedule of payment received.
c) Amount of work done so far at the site with photographs.
d) Percentage of physical progress achieved with certificate of civil engineer.
e) Land cost of the project and proportionate land cost of a percentage of physical progress with documentary proof.
f) The details of the Bank Accounts where the amount realized from allottees has been deposited/received.
g) The withdrawals from the separate RERA Account where 70% of the amount to be realized from allottees is mandatory to be deposited with documentary proof.
h) The proof of having withdrawn from the separate account after it is certified by an engineer, an architect, and a chartered accountant in practice that the

withdrawal is in proportion to the percentage of completion of the project duly certified with bank.

i) The details of the balance available in the separate RERA Account and whether it is the remaining amount in the separate RERA Account out of seventy percent of the total amount realized from the allottees after withdrawals as per provisions of section 4(2)(l)(D).

j) Certificate of the Chartered Accountant that amounts collected for this project and the withdrawals have been in compliance with the proportion to the percentage of completion of the project.

k) Wherever there has been deviation/variation from the provisions of section 4(2)(I)(D) and the explanation relating to the same.

l) Copy of documents submitted to Director Town & Country Planning, Haryana in compliance with Rule 24, 26(2), 27 & 28 of the Haryana Development and Regulation of Urban Areas Rules, 1976.

Further, the Authority is of the view that since the promoter has failed to deposit the cumulative penalty till today amounting ₹ 21.07/- lacs alongwith the interest till today amounting to ₹1,75,998/- and cost of ₹2 lac for non-appearance of director, therefore the file for recovering the said amount be sent to the Execution Section after the said registration is revoked.

10. Adjourned to **11.02.2026.**

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