



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO: 2929 of 2019

HRERA, Panchkula

.... Complainant

Versus

Brihaspati Construction Pvt. Ltd

.... Respondent No.1

Vardhaman Buildtech Pvt. Ltd

.... Respondent No.2

Coram:	Nadim Akhtar	Member
	Dr. Geeta Rathee Singh	Member
	Chander Shekhar	Member

Date of Hearing: 07.01.2026

Hearing No: 24th

Present: Sh. E. Krishana Dass on behalf of the Respondent No.1 i.e. Brihaspati Construction Pvt. Ltd.
None for Vardhaman Buildtech Pvt. Ltd Respondent No.2

ORDER: (NADIM AKHTAR- MEMBER)

1. Show cause notice under section 59 of the Real Estate (Regulation and Development) Act, 2016 was issued to the promoter/developer on 13.12.2019 in respect of License no. 142 of 2008 dated 19.07.2008 for launching a Group

Housing Project on land measuring 8.10 acres in sector-3, Dharuhera, Rewari and not getting the same registered.

2. The respondent developer had launched the said project by issuing an advertisement in 'Hindustan Times' on 15.12.2011 and 474 units out of total 653 units (555 general category and 98 EWS) have already been sold.
3. The DTP, Rewari vide letter dated 15.09.2020 has informed that the said license was valid upto 18.07.2012. However, the promoter had applied for renewal but the same was rejected by the Director, Town and Country Planning vide orders dated 18.10.2016. DTP also informed that, the zoning plan of the site and the building plans have already been approved on 08.04.2011 and 24.11.2011 respectively. The structure work of 6 towers out of 9 is complete, however, the work at site is currently stopped.
4. On 04.01.2020, Authority decided to issue a show cause notice to Interim Resolution Professional (IRP) as to why he may not be directed to get the project registered as per the provisions of the RERA Act, 2016.
5. On 30.05.2022, a public notice was issued in The Tribune by the Town and Country Planning Department, Haryana informing the general public that due to some irregularities and non-compliance of terms and conditions of the license, the said license has been cancelled.
6. On 20.03.2023, counsel for the home buyers informed the Authority that the promoter is arbitrarily cancelling the units of the allottees in the project and requested the Authority to intervene in the matter so that interest of the allottees could be protected/safeguarded.
7. On 01.05.2023, the Authority after hearing the arguments of counsel directed that a copy of orders passed by DTCP should be placed before the Authority. Further, the Authority is of the view that the allottees should approach the



complaint jurisdiction of the Authority in case of any grievance. The application for intervention cannot be considered in the Suo-motu complaint.

8. The respondent promoter on 27.06.2023 submitted a copy of the Resolution Plan under IBC, 2016 dated 09.10.2019 and NCLT orders dated 28.01.2022. The respondent promoter requested the Authority to cancel the suo-motu case in the name of M/s Brihaspati Construction Private Limited for the sake of compliance to the orders of the Hon'ble NCLT dated 28.01.2022. The promoter also requested for refund of fees paid against Registration.
9. On 21.02.2024, none present on behalf of the respondent. Since the said project is an on-going one, the Authority directed the respondent-promoter to file an application for registration in the Authority before the next date of hearing failing which action under section 59 of the RERD Act, 2016 will be taken for violation of section 3 of the RERD Act, 2016. Since the promoter had not filed for registration, sale in the project was banned. Further, the promoter was directed to be personally present on the next date of hearing.
10. On 10.07.2024, no one was present on behalf of respondent. It had come to the notice of the Authority that the project has been transferred to another promoter, i.e., Vardhman Builtech Pvt. Ltd. Therefore, the Authority decided that show cause notice be sent to Vardhman Builtech Pvt. Ltd. as to why they have not got the project registered under the provisions of the RERA, Act.
11. Vide letter dated 15.01.2025, the promoter (Brihaspati Construction Private Limited) has stated:

That in reference to our earlier application for cancellation of registration in the name of Brihaspati Construction Pvt. Ltd. and refund of registration fees submitted vide letter dated 27.06.2023 (the promoter has enclosed a copy of DD no. 040967 dated 29.07.2017 of



Rs.2,87,000/-, the promoter requests to refund the paid amount to their account (details of the account has been stated)

12. Since the details of the company are not available on the MCA website and no contact number is available in this office record therefore the show cause notice has not yet been issued to Vardhman Buildtech Private Limited. The promoter (i.e. Brihaspati Construction Pvt. Ltd.) was directed to submit correct contact/address/email details of Vardhman Buildtech Pvt. Ltd. within 30 days. Authority observed that decision regarding application for refund of registration fee dated 15.01.2025 will be taken after hearing the promoter Vardhman Buildtech Pvt. Ltd. on the next date of hearing.

13. Today, Representative of the respondent apprised that they have filed details of the promoter (i.e. Vardhman Buildtech Pvt. Ltd.) in the Authority. Further submitted that CRIP proceedings are going on against them. They applied for registration in 2017, however the same was not done online.

14. After consideration, Authority observes that the respondent was liable to register the project and since the liability of project has been transferred to new promoter, i.e., Vardhman Buildtech Pvt. Ltd., therefore they are under obligation to get the project registered.

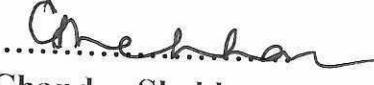
The Authority decides to add promoter Vardhman Buildtech Pvt. Ltd. as respondent 2nd as they are necessary party to this Suo motu matter and directs both the respondents (i.e. Brihaspati Construction Pvt. Ltd. and Vardhman Buildtech Pvt. Ltd.) to be personally present on the next date of hearing.

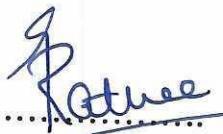
15. On 02.04.2025, the representative of the respondent (i.e., Brihaspati Construction Pvt. Ltd.) was directed to submit a written reply regarding the averments made during the hearing and also give renewal status of the license

alongwith transfer of license in the name of new entity i.e. Vardhman Buildtech Pvt. Ltd. a week prior to the next date of hearing.

The Authority also decided that a show cause notice be issued to the promoter Vardhman Buildtech Pvt. Ltd. as to why the project was not registered as per the provisions of the RERA Act, 2016. The office was directed to send a copy of this order to both the promoters through email and registered post which was sent on 26.09.2025.

16. On 01.10.2025, neither anyone appeared nor any reply filed by the respondents(s). Therefore, Authority imposed a penalty of ₹1lac for non-appearance on both respondent(s) and further directed to file reply before the next date of hearing and adjourned the matter to 07.01.2026.
17. Today, counsel appearing on behalf of the respondent no.1, Brihaspati Construction Pvt. Ltd appraised the Authority that an application has been submitted on 07.01.2026. Perusal of office records reveal that two replies dated 07.01.2026 have been submitted in the registry by both respondents i.e., Brihaspati Construction Pvt. Ltd and Vardhaman Buildtech Pvt. Ltd respectively wherein, they have prayed for the recall of orders dated 01.10.2025 to the extent of imposition of cost of ₹1 lakh and waiver of cost of ₹1 lakh imposed on the respondents. However, the Authority finds the submissions untenable. The Authority observes that since considerable time has lapsed and the project has still not been registered therefore, the Authority decides to dispose of the present matter and initiate recovery proceedings against the respondents.


Chander Shekhar
Member


Dr. Geeta Rathee Singh
Member


Nadim Akhtar
Member