

BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

Appeal No. 102 of 2025

Date of Decision: January 28, 2026

Alpha Corp. Development Private Limited, 602, 6th Floor,
Tower J, World Trade Centre, Ring Road, Nauroji Nagar, New
Delhi-110029

Appellant

Versus

Haryana Real Estate Regulatory Authority, Panchkula,
through its Chairperson, Mini Secretariat (2nd and 3rd Floor),
Sector-1, Panchkula

Respondent

Coram:

**Justice Rajan Gupta
Dr. Virender Parshad
Dinesh Singh Chauhan**

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

Present: Mr. Alok Jain, Advocate for the appellant.

RAJAN GUPTA, CHAIRMAN:

Appellant is aggrieved of order dated 26.09.2024 passed by the Authority¹. Operative part thereof reads as under:

“7. The Company Secretary has been informed telephonically that the matter is listed for 04.09.2024. An email dated 30.08.2024 regarding the same was sent on the registered email address of Promoter and Company Secretary.

8. It is pertinent to state that QPRs have been uploaded upto 30.06.2033. Cost of Rs.50,000/- imposed on 10.04.2024 has not been deposited till date. The matter is listed for 04.09.024.

9. Authority observes that Managing Director/one of the Directors was required to be personally present today but he has failed to remain present despite undertaking given by Mr. Neeraj Goyal, Company Secretary. Hence, Authority decided to impose a

¹ Haryana Real Estate Regulatory Authority, Panchkula

additional cost of Rs. one lac on the promoter.

10. Ld. Counsel Mr. Alok Jain submitted that earlier litigation was going on in the project. Part Completion Certificate was issued by DTCP Haryana on 03.05.2018 for 9.74 acres of land, hence, extension of project is not required.

11. Authority observes that project consists of development of infrastructure, commercial area and construction of institutional buildings. On completion of all three components, Completion Certificate is to be issued by concerned Authority.

12. Hon'ble Supreme Court of India in M/s Newtech Promoters and Developers Pvt. Ltd. and State of Uttar Pradesh and others has held that all ongoing projects which have not been issued completion certificates are to be treated as ongoing projects and require registration. This implies that promoter has to do all the compliances till issue of completion certificate. Therefore, promoter should apply for extension and deposit the required extension fee.

13. Adjourned to 13.11.2024.

*True Copy
Sd/-
Executive Director,
HRERA, Panchkula"*

2. It appears that Alpha Corp. Development Private Limited intended to set up a project "Alpha International City", a residential colony measuring 9.74 acres in Sector 4, Fatehabad, Haryana. It applied for grant of Completion Certificate in respect of the project. However, it was only granted part Completion Certificate on 03.05.2018 by DTCP, Haryana. As the Authority felt that the project already not registered, it issued letter dated 01.10.2023 to the appellant-company regarding requisite registration under the Act². In

² The Real Estate (Regulation and Development) Act, 2016

reply, the appellant-company submitted that it had already been granted Completion Certificate in respect of 9.743 acres vide letter dated 03.05.2018 by DTCP. In view of same, further extension was not sought by the appellant-company as the same was not required.

3. Mr. Alok Jain, counsel for the appellant-promoter, has vehemently argued before this Bench that project was pre-RERA and did not require registration. The Authority has overreached its jurisdiction by sending notice to the appellant-company.

4. We have heard counsel for the appellant and given careful thought to the facts of the case.

5. A perusal of communication dated 03.05.2018 shows that the same is only a part Completion Certificate in respect of 9.74 acres of land in respect of the project. For development of the project, infrastructure, commercial area and institutional buildings are to be erected. We find that affidavit filed by Mr. Santosh Singh Mehra, authorized representative of the appellant-company, in support of pleas in grounds of appeal is not only contumacious but inherently false. In ***M/s Newtech Promoters and Developers Pvt. Ltd. v. State of UP***³, it has been held that in all projects, where Completion Certificates have not been granted, have to be treated as on-going projects and such projects require registration. The promoters would, thus, be required to comply with all formalities and seek extension of registration from time to time on deposit of charges.

³ 2022(1) RCR (Civil) 367

6. In view of above, we find no legal infirmity with the order passed by the Authority.

7. The appeal is, thus, without any merit and is hereby dismissed.

8. It has been observed that certain appeals are being filed before this Tribunal containing incorrect and misleading averments, without due regard to the solemnity of proceedings. Such appeals are often supported by affidavits sworn by authorized representatives of promoter-companies who, despite being aware of the factual position, make false declarations. The Tribunal is of the considered view that such conduct cannot be permitted to go unchecked. The person swearing a false affidavit must be held accountable for attempting to mislead a quasi-judicial forum. It is pertinent to note that under Section 53 of the Real Estate (Regulation and Development) Act, 2016, the Tribunal is vested with the powers of a Civil Court, including those relating to the trial of offences of perjury and contempt.

9. In the present case, the plea advanced on behalf of the appellant-company that a Completion Certificate had been issued by the Directorate of Town and Country Planning, Haryana, vide communication dated 03.05.2018, has been found to be wholly incorrect and misleading. In normal course, this Tribunal would initiate punitive proceedings for filing false affidavit under the relevant provisions of the Act, however, in the facts and circumstances of the case, it is deemed fit to give a quietus to the case with a note of caution to the promoter-Alpha Corporation Ltd. to be careful while filing affidavit(s) and to ensure that the same do not contain misleading or false

information.

10. Copy of this order be sent to the appellant/its counsel and the Authority.

11. Copy of this order be also forwarded to DTCP to oversee the activities of the developer in the existing as well as proposed projects, if any.

12. File be consigned to records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Dr. Virender Parshad
Member (Judicial)

Dinesh Singh Chauhan
Member (Technical)

January 28, 2026
mk