HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1706 of 2022

HRERA, Panchkula ...COMPLAINANT

VERSUS

Sahiba Constructions Pvt. Ltd. ....RESPONDENT

CORAM:	**Parneet S Sachdev**	**Chairman**
	Nadim Akhtar	**Member**
	Dr. Geeta Rathee Singh	**Member**
Date of Hearing:	01.04.2026	
Hearing:	**10th**	
Present:	Sh. Bharat Bhushan, Director and Adv. Neeraj Puri, Ld. Counsel.	

ORDER (Parneet S Sachdev-Chairman)

This Suo-motu complaint was registered against the respondent/ promoter for not uploading quarterly progress reports of its real estate project registered by the Authority vide Registration No. HRERA-PKL-JND-242-2021 dated 30.06.2021 valid upto 30.06.2022.

2. On 07.02.2024, the cumulative penalty worked out to ₹ 1,84,000/- and the promoter was directed to show cause as to why penalty U/s 61 read with Section 63 & 60 be not imposed for contravention of the provisions of the Act and not complying with the orders of the Authority. The office was directed to send a copy of this order to the respondent via e-mail and registered post.

3. The orders dated 07.02.2024 were delivered to the promoter on 01.07.2024 and 26.06.2024 via registered post and email respectively. Since the promoter had not filed QPRs the cumulative penalty from 07.08.2023 till 03.07.2024 (in which penalty of Rs. 1000/-per day was imposed) worked out to ₹ 3,32,000/-.

4. On 03.07.2024, as the promoter had failed to upload the QPR's even after granting several opportunities, the penalty of ₹1000 per day imposed on 07.08.2023 was enhanced to ₹ 5,000/- per day till quarterly progress reports are uploaded online. The office was also directed to send a copy of this order to the respondent via mail and registered post.

5. A copy of order was sent via registered post on 28.01.2025 which was returned on 31.01.2025 with the remarks that the "addressee left without instructions". However, the orders were delivered via email on 27.01.2025.

6. On 05.02.2025, neither any reply was filed by promoter and nor QPRs of the Project were filed online. Therefore, penalty of ₹ 5000/- per day was enhanced to ₹ 10,000/- per day. Cumulative penalty till 05.02.2025 worked out to ₹ 14,16,000/-. Managing Director/ one of the Directors was also asked to be personally present on the next date of hearing.

7. On 30.07.2025, neither anyone appeared nor any reply filed. Upon perusal of records it was found that QPR's have been uploaded by the promoter till 31st December 2024 on 01.04.2025. After consideration the Authority decided to impose a cost of ₹ 1 lac for non-appearance of Managing Director/ one of the Directors. The cumulative penalty till 31.03.2025 works out to ₹ 19,56,000/-. The respondent is directed to deposit the penalty in the registry of the Authority at least one week before the next date of hearing. Also Managing Director/ one of the Directors be personally present on the next date of hearing. The Authority also directed the office to send this order to the respondent promoter via registered post and mail.

8. The said orders were sent to the promoter through registered post on 29.09.2025 and through mail on 06.10.2025 which were delivered on 06.10.2025.

9. On 08.10.2025, neither anyone appeared nor any reply filed. After consideration the Authority decided to again impose a cost of ₹1 lac for non-appearance of Managing Director/ one of the Directors. The cumulative penalty till 31.03.2025 works out to ₹ 19,56,000/-. The respondent was directed to deposit the penalty and the cost in the registry of the Authority at least one week before the next date of hearing. Also Managing Director/ one of the Directors be personally present on the next date of hearing. The promoter was also directed to file the remaining QPR'S for the next three quarters of 2025. Also the office is directed to send copy of these orders to the promoter through E–mail and registered post. The said orders were sent via registered post on 20.11.2025 which were delivered on 24.11.2025 and were delivered via e-mail on 20.11.2025.

10. On 14.01.2026, neither anyone appeared nor was any reply filed. The Authority after consideration decided to enhance the penalty of ₹10,000/- per day to ₹ 25,000/- per day. Cumulative penalty till 13.01.2026 worked out to ₹48,36,000/-. The Authority decided to again impose a cost of ₹1 lac for non-appearance of Managing Director/ one of the Directors. The respondent is directed to deposit the penalty and the cost in the registry of the Authority at least one week before the next date of hearing. The promoter was also directed to file the remaining QPR'S for the next three quarters of 2025. Also the office was directed to send copy of these orders to the promoter through E–mail and registered post.

11. In compliance of previous direction of the Authority, orders were sent to the respondent on 17.02.2026 via registered post and on 12.02.2026 via mail.

12. Today, ld. Counsel for the respondent appeared and submitted that a written reply has been filed on 30.03.2026. It is contended therein that the license no. 57 of 2011 has been renewed upto 22.06.2024. It was further contended that the respondent preferred an application for grant of completion certificate on 04.02.2022. In response, the Directorate of Town & Country Planning, Haryana vide letter dated 04.11.2024 has communicated certain observations/shortcomings for the issuance of completion certificate. Ld. Counsel further submitted that an appeal (Appeal no. 367 of 2026) against the present suo-motu complaint has been filed before the Hon'ble Real Estate Appellate Tribunal. The appeal is now listed for 15.04.2026 before Hon'ble Appellate Tribunal. Authority observes that mere pendency of an appeal does not operate as a stay on the proceedings. It is further noted that no interim stay or restrictive order has been granted by the Hon'ble Appellate Tribunal in the aforementioned appeal.

13. Ld. Counsel raised a preliminary objection regarding the maintainability of the proceedings, asserting they are vitiated by a fundamental breach of the Principles of Natural Justice. Ld. Counsel contended a lack of "proper and effective service," noting that physical notices were returned with the postal remark "addressee left," thereby depriving them of a fair opportunity to be heard. The Authority hereby overrules and sets aside the respondent's objection as the orders were delivered to the last available address. Also the record clarifies that service was duly effected via electronic mail (e-mail) and successfully delivered.

14. Ld. Counsel apprised the Authority that the Quarterly Progress Report (QPRs) have been filed till 31.12.2025 on 24.03.2026. Upon perusal of the record, the Authority observes that since the requisite QPRs have been filed, no further accrual of penalty is warranted. Accordingly, the per-diem penalty shall be capped and effective only up to 23.03.2026. Authority directs the respondent

to deposit the cumulative penalty amount of ₹68,42,000/- and cost of ₹3,00,000/- in the registry before the next date of hearing. In the event of non-compliance with the aforesaid directions, the Authority shall be constrained to initiate execution proceedings against the respondent-promoter in accordance with law to recover the outstanding dues.

15. Adjourned to **10.06.2026.**

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