HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1960 of 2022

HRERA, Panchkula

...COMPLAINANT

VERSUS

Mapsko Builders Pvt Ltd.

....RESPONDENT

CORAM:	**Dr. Geeta Rathee Singh**	**Member**
	Chander Shekhar	**Member**

Date of Hearing: 12.08.2026.

Hearing: 17th

Present: Adv. Sumesh Malhotra through video conferencing.

ORDER (Dr. Geeta Rathee Singh -Member)

When the matter was taken up by the Authority on 05.02.2025, Adv. Sumesh Malhotra informed that an appeal is being filed against the orders passed by the Authority regarding imposition of penalty of ₹16.20 Lakhs. Taking note of the above, the Authority on 23.04.2025 had decided that this Suo motu complaint be disposed of and matter may be sent to the Execution Branch for recovery of amount as per law. Meanwhile, the Hon'ble High Court in CWP No. 14937 of 2024 titled as

"M/s Vatika Ltd. versus Union of India and Others" dated 24.04.2025, has quashed notification no.50/15/2024-5S (1) dated 11.05.2024, vide which powers to execute order of Hon'ble Authority were delegated to the Adjudicating Officer by the Competent Authority while exercising powers under Section 81 of the Act, 2016, and therefore the Execution Branch has no authority to pass any constructive order with regard to executions. In simple words, it can't pass any order as this power is now to be exercised by Hon'ble Authority. The Authority therefore, directed the respondent to either comply with the orders of Authority vide which penalty of ₹16.20 Lakhs was imposed or submit the orders of Hon'ble Appellate Tribunal granting stay in the present matter. The matter was then adjourned to 13.08.2025.

2. On 13.08.2025, Adv. Sumesh Malhotra appearing on behalf of respondent requested for an adjournment since the matter is pending before Hon'ble Appellate Tribunal. The matter was adjourned to 12.11.2025.

3. On 12.11.2025, Adv. Sumesh Malhotra appearing on behalf of respondent requested to adjourn the matter since the same is listed before Hon'ble Appellate Tribunal on a later date. However, since stay has not been granted by the Tribunal, therefore last opportunity is granted to the respondent to comply with the directions of the Authority failing which revocation proceedings as per law shall be initiated against the respondent.

4. On 04.02.2026, no one appeared on behalf of the respondent. However, Adv. Sumesh Malhotra submitted a copy of appeal on 28.01.2026 alongwith copy of notice to respondent regarding condonation of delay. However, the Authority directed the office to issue a show cause notice to the respondent under Section 7 of the RERD Act, 2016.

5. In view of the above orders of the Authority, show cause notice dated 03.04.2026 was issued to the respondent, which was delivered through mail on

03.04.2026 and sent through post which was returned back undelivered with the comments "Addressee left without instructions".

6. On 22.04.2026, after considering the reply dated 22.04.2026 filed by the respondent, the Authority was of the view that appeal is pending before Appellate Tribunal. The respondent was directed to apprise the status of pending appeal especially with regard to the fact that whether there is any stay on the proceedings before this Authority or not, so that a decision could be taken on the next date of hearing.

7. On the last date of hearing i.e., 01.07.2026, Adv. Sumesh Malhotra appeared on behalf of respondent and informed that the said appeal is listed before Hon'ble Appellate Tribunal on 13.07.2026 and stay has not been granted yet by the Tribunal. He further informed that since DTCP vide letter dated 13.04.2026, has stated that the Project forms part of the larger project for which part completion certificate has been issued vide memo dated 26.02.2014 for an area measuring 134.205 acres, therefore, no separate completion certificate for the commercial pocket is required.

In view of the above, counsel pleaded that there remains no useful purpose for continuing with the directions of filing QPR till receipt of completion certificate. The respondent therefore, requested the Authority to discharge them from filing QPRs till grant of Completion Certificate, remove ban on sale of unsold inventory in MAPSKO Galleria bearing registration no. HRERA-PKL-SNP-72-2018 dated 14.12.2018 and recall/set aside/withdraw order dated 11.12.2024 or any subsequent orders or proceedings, for imposition and collection of penalty amount of INR 16,20,000/- from respondent. Counsel further apprised that they will withdraw the appeal from Hon'ble Appellate Tribunal and will submit an affidavit in this regard before the next date of hearing.

8. After consideration, the Authority directed the respondent promoter to file an affidavit to unconditionally withdraw appeal bearing no. 534 of 2025 titled

"MAPSKO Builders Private Limited versus Haryana Real Estate Regulatory Authority, Panchkula" before the Hon'ble Haryana Real Estate Appellate Tribunal, Chandigarh.

9. Vide reply dated 27.07.2026, the promoter has submitted an affidavit, which is taken on record. However, final decision shall be taken on the next date of hearing

10. Adjourned to 26.08.2026.

Chander Shekhar
Member

Dr. Geeta Rathee Singh
Member