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:	**Parneet S Sachdev**	**Chairman**
	Dr. Geeta Rathee Singh	**Member**
	Chander Shekhar	**Member**

Date of Hearing: 22.04.2026.

Hearing: 15th

Present: Adv. Sandhya on behalf of respondent.

Order: Parneet S Sachdev (Chairman)

When the matter was taken up by the Authority on 05.02.2025, Adv. Sumesh Malhotra appearing on behalf of respondents informed that they are filing appeal 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 has been 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 the last date of hearing i.e., 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. Today, Adv. Sandhya appearing on behalf of respondent informed that they are filing reply in the registry of the Authority mentioning therein as under:-

i. The matter pertains to extension of RERA Registration for 'MAPSKO Galleria' a commercial colony on land measuring 1.82 Acres (7365.222 sq. mtrs.) situated in Sector - 27, Sonipat, Haryana (hereinafter "Project"). That registration for the Project was granted by the Ld. Authority vide registration certificate bearing no. HRERA-PKL-SNP-72-2018 dated 14.12.2018, which was valid till 30.06.2019. In the meantime, the development of the project was completed by the Respondent Promoter and the Respondent Promoter submitted an application on 08.05.2019 with the Town and Country Planning, Haryana for grant of Occupation Certificate in respect of the project, i.e., within the validity of RERA registration.

ii. Thereafter, the project was granted Occupation Certificate by Director Town and Country Planning, Haryana on 08.08.2019. It is pertinent to point out that the project being commercial pocket of the larger township project namely "MAPSKO Garden Estate" spread over 134.205 Acres in the revenue estate of village Ahmedpur and Bandhepur, Sector - 26, 27 and 28, District - Sonipat, Haryana (hereinafter "Larger Project") had been granted part completion certificate on 26.02.2014. The said larger project was separately registered with the Authority, Panchkula. While granting the part completion certificate the DTCP, Haryana noted that required development works such as water supply sewerage, storm water drainage, roads, horticulture and electrification has been completed to their satisfaction, clearly indicating completeness of

development works in the larger project, which included the present project i.e., MAPSKO Galleria.

iii. That the Authority had instituted two parallel proceedings in respect of the same matter-a) the aforementioned Suo Moto Case bearing no. RERA-PKL-1960-2022; titled HRERA Panchkula versus Mapsko Builders Pt Ltd; and b) Project Hearing wherein vide Order dated 02.07.2025, the Authority had declined the request of the Respondent Promoter to grant further extension of RERA Registration and imposed absolute ban on the sale of unsold inventory till extension is granted.

iv. That in the Suo Moto Case, the Authority had directed the Respondent Promoter to carry out compliances under the RERA Act, 2016 including extension of RERA registration and submission of the quarterly progress report till date of grant of completion certificate of the Project. That the Respondent Promoter on multiple hearings and vide reply dated 07.01.2025 to the earlier show cause notice had informed the Authority that part completion certificate for Larger Project has already been received which encompasses the present Project and a separate completion certificate of the Project is not being granted by DTCP. Further, the Promoter apprised the Authority that vide recent amendment to Haryana Development and Regulation of Urban Areas Act, 1975 vide amending Act of 2024, passed on 18.12.2024, Occupation Certificate has been brought at par with the completion certificate and in case where colonizer has obtained occupation certificate in respect of building blocks and part completion in respect of plotted colony, no further scrutiny for the purpose of completion certificate is required. The said amendment has been made retrospectively applicable in terms its Section 1(2) from 30.01.1975. As the Larger Project had received part completion certificate dated 26.02.2014 and the Project had received

Occupation Certificate dated 08.08.2019, no completion certificate for the Project is required to be obtained. However, submissions made by the Respondent Promoter to this effect were disregarded by the Authority.

v. That the Respondent Promoter has been gravely aggrieved by the orders of the Authority. Yet, in good faith, the Promoter had submitted an application dated 14.01.2026 for grant of completion certificate particularly for the Project. However, on 13.04.2026, the DTCP duly responded to Promoter's application stating 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, i.e., the Larger Project, therefore, no separate completion certificate for the Project is required. Relevant excerpt of the reply given by DTPC is reproduced hereunder:

"2. Your request for issuance of a separate completion certificate for the commercial pocket measuring 1.82 acres, forming part of a residential plotted colony under License Nos. 43-55 of 2007 dated 22.01.2007, 49 of 2010 dated 23.06.2010, and 98 of 2022, granted for development over a total area of 138.74925 acres in Sectors 26 & 27, District Sonipat, has been examined and noticed that the commercial pocket measuring 1.82 acres already forms part of the part completion certificate issued vide memo dated 26.02.2014 for an area measuring 134.205 acres. Therefore, no separate completion certificate for the said commercial pocket is required and your application is hereby filed."

vi. Therefore, in view of the submissions made and the DTCP reply, the Respondent Promoter requested the Authority to: -

a. Take the present reply on record and upon satisfaction drop and discharge Promoter from all proceedings initiated against it for failure to obtain completion certificate or filing of quarterly project report in respect of the

project "MAPSKO Galleria" a commercial colony on land measuring 1.82 Acres (7365.222 sq. mtrs.) situated in Sector - 27, Sonipat, Haryana;

b. remove ban on sale of inventory of the project imposed vide Order dated 02.07.2025;

c. withdraw/dismiss penal proceeding and/or penal amounts imposed on Promoter or the project;

d. grant extension to the project as per application dated 05.07.2023;

e. dispose of the present suo moto case and its execution proceedings;

f. any other orders as this Authority may deem fit and proper in the facts and circumstances of the case.

7. After considering the reply filed by the respondent, the Authority is of the view that appeal is pending before Appellate Tribunal. The respondent is 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.

8. Adjourned to **01.07.2026.**

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