HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 2253 of 2022

HRERA, Panchkula

...COMPLAINANT

VERSUS

Estate Officer, HSVP, Sirsa

....RESPONDENT

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

Date of Hearing: 16.09.2026
Hearing: 14th
Present: Adv. Tarun Ranga on behalf of the promoter.

ORDER (Nadim Akhtar - Member)

This suo-motu complaint was registered against the respondent for not uploading quarterly progress reports of project registered vide Registration No. HRERA-PKL-SRS-82-2018 dated 19.12.2018 valid upto 31.12.2021.

A show-cause notice was issued on 24.08.2022 for not uploading quarterly progress reports on the web portal of the Authority.

2. On 10.04.2023, Authority decided to grant one last opportunity to the respondent promoter for uploading quarterly progress reports within a period of 30 days failing which penalty of ₹1000/- per day shall be imposed.

3. On 17.07.2023, the Authority observed that the quarterly progress reports have not been uploaded online by the respondent promoter. The Authority therefore imposed a penalty of ₹1000/- per day till the quarterly progress reports are uploaded online.

4. On 04.09.2023, the Authority observed that the promoter has neither submitted online quarterly progress reports upto 2nd quarter of the year 2022 nor has appeared today, the cumulative penalty from 17.07.2023 till date works out to ₹50,000/-. The respondent should therefore deposit the said amount in the registry of the Authority before the next date of hearing. The respondent was also directed to file the quarterly progress reports till which time the penalty of ₹1,000/- per day shall continue.

5. On 21.11.2023, learned counsel Advocate Tarun Ranga appeared on behalf of the respondent and submitted that the respondent forgot the Login Id and Password due to which quarterly progress reports could not be uploaded. The Authority directed that the Login Id and password be provided to the respondent. The cumulative penalty from 17.07.2023 till date works out to be ₹1,28,000/-. The said QPR's have not been filed till date. The respondent should therefore deposit the said amount in the registry of the Authority before the next date of hearing. The respondent was also directed to file the quarterly progress reports till which time the penalty of ₹1000/- per day shall continue.

6. On 24.01.2024, the Authority observed that since a show cause notice dated 24.08.2022 was issued to the promoter wherein the promoter was directed to submit online quarterly progress reports upto 2nd quarter of the year 2022 within a period of 30 days on the website of the Authority failing which

promoter will be liable for penal action U/s-63 of RERA Act, 2016 and as the promoter has failed to upload the quarterly reports even after giving several opportunities, the penalty of ₹1000 per day imposed on 17.07.2023 is being enhanced to ₹10,000 per day till quarterly progress reports are uploaded online. It was further made clear that penalty of ₹10,000/- per day shall continue till the date quarterly progress reports are filed by promoter.

7. On 13.03.2024, learned counsel, Sh. Tarun Ranga appeared and informed that QPR(s) upto 31.12.2023 have been uploaded online on 23.02.2024.The Authority directed the promoter to deposit cumulative penalty imposed on 17.07.2023 till 23.01.2024 which works out to ₹1,91,000/- and cumulative penalty of ₹ 10,000/- per day as imposed on 24.01.2024 till 22.02.2024, i.e. date of uploading of QPR(s) which works out to ₹ 3,00,000/-. The respondent promoter should therefore deposit the said amount in the registry of the Authority before the next date of hearing.

8. On 01.05.2024, learned counsel Sh. Tarun Ranga appeared and sought time to deposit the penalty imposed by the Authority as the departmental process is going on. Acceeding to the request of the learned counsel, the Authority granted one last opportunity to the promoter to deposit the said penalty i.e. ₹ 4,91,000/- before the next date of hearing in the registry of the Authority.

9. On 10.07.2024, the Authority observed that the penalty of ₹ 4,91,000/- has not been deposited by the Promoter till date. The Promoter was directed to upload upto date QPRs on the web portal of the Authority and also, last opportunity is granted to the Promoter to deposit the said penalty of ₹4,91,000/- in the registry of the Authority before the next date of hearing.

10. On 23.10.2024, learned counsel Sh. Tarun Ranga appeared and informed that QPR(s) upto 30.06.2024 have been uploaded online on

11.09.2024. However, the Authority vide its orders dated 09.10.2024 under Item No. 266.05 has decided not to take coercive action till a period of six months or till any directions are received from the Government, whichever is earlier. It is hereby made clear that no relaxation is being given by the Authority in its earlier decisions/ orders already pronounced and uploaded on its website, HSVP is bound to comply with the same. However, all the proceedings of registration etc. will be fixed after 14.02.2025 or till HSVP gets the matter clarified from government, whichever is earlier. In view of above, last opportunity was granted to the Promoter to deposit the said penalty of ₹ 4,91,000/- in the registry of the Authority before the next date of hearing.

11. On 12.03.2025, Adv. Neeraj Goel, proxy for Adv. Tarun Ranga appeared and requested for some time filing the copy of the reference sent to the Government. After consideration, the Authority decided that a copy of the reference sent to the government be submitted before the next date of hearing.

12. On 28.05.2025, Adv. Tarun Ranga appeared on behalf of the promoter and apprised the Authority vide PUC dated 27.05.2025 that an application has been sent to Ministry of Housing and Urban Affairs seeking clarification of applicability of RERA Act of Statutory bodies such as HSVP and a reply is awaited for the same and promoter in the process of filing of SLP in Hon'ble Supreme Court against the orders passed in CWP 4760 of 2020 titled Anil Kumar Yadav and others Vs State of Punjab by Hon'ble Punjab & Haryana High Court. Further, Adv. Tarun Ranga requested that a moratorium of at least nine months be kindly granted, so that final decision in this regard may be taken.

13. On 03.12.2025, Adv. Tarun Ranga appeared on behalf of HSVP and submitted that HSVP has filed a Special Leave Petition (SLP) before the Hon'ble Supreme Court of India vide Diary No. 63782/2025 against the order passed in

CWP No. 4760 of 2020 titled Anil Kumar Yadav V/s State of Punjab by the Hon'ble High Court of Punjab and Haryana seeking authoritative clarification on the applicability of RERA Act, 2016 to statutory authorities, including the question of whether statutory development authorities fall within the definition of "Promoter" under Section 2(zk) of the Act. Since the issue is sub-judice and clarification from the Ministry of Housing and Urban Affairs is awaited, it is prayed that no adverse or coercive action be taken against HSVP until the Supreme Court decides the matter and also requested that the moratorium earlier granted may be extended. A copy of request for extension of Moratorium in matters pertaining to Suo Motu Complaints and Project- related proceedings concerning HSVP sector on the ground of filing of SLP before the Hon'ble Supreme court issued by HSVP dated 03/12/25 was also submitted during the course of hearing by the counsel.

14. On the last date of hearing, i.e. 29.07.2026, the Authority observed that no correspondence has been received from HSVP after 03.12.2025. After perusal of records, it is found that the Special Leave Petition (Civil) bearing diary no 63782/2025 filed by the promoter against the order passed in CWP No. 4760 of 2020 titled Anil Kumar Yadav V/s State of Punjab stands dismissed vide order dated 09.02.2026 passed by Hon'ble Supreme Court. The Authority after consideration directed the promoter to deposit cumulative penalty amounting to ₹ 4.91,000/- before the next date of hearing.

15. Today, upon examination of the official record, it is observed that the respondent has failed to comply with the preceding orders of the Authority even after grant of adequate opportunities. Hence the Authority in exercise of its mandate under Section 37 read with Section 34(f) of the RERD Act, 2016 hereby directs the respondent to deposit the penalty amount of ₹ 4,91,000/- within a period of 90 days of uploading of this order, failing which legal consequences shall follow.

16. **Disposed of.** File be consigned to record room after uploading of these orders.

Chander Shekhar
Member

Dr. Geeta Rathee Singh
Member

Nadim Akhtar
Member

Haryana Real Estate Regulatory Authority
सत्यमेव जयते
Panchkula