



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. (Suo-Motu) 1890 of 2022

HRERA, Panchkula

...COMPLAINANT

VERSUS

Ozone GSP Infratech Sarvome House

....RESPONDENT

CORAM:

Parneet S Sachdev

Chairman

Dr. Geeta Rathee Singh

Member

Chander Shekhar

Member

Date of Hearing: 05.08.2026

Hearing: 17th

Present: Adv. Amrit Singh on behalf of respondent.

ORDER (Parneet S Sachdev-Chairman)

Present suo-motu complaint was registered against the respondent promoter not uploading quarterly progress report of the project, thus, violating provisions of Section-11 of the Real Estate (Regulation & Development) Act, 2016 and Rule-14(vii)(d) of the Haryana Real Estate (Regulation & Development) Rules, 2017.

2. When the matter was heard by the Authority on 06.05.2026 following order was passed:

"4. Today also, Adv. Amrit Singh appearing on behalf of respondent states that they will be filing reply in the registry today itself. However, since no reply has been filed as per the timelines given in the notice, there seem to be an intentional non-compliance of the part of the promoter, therefore, the Authority decides to revoke the said registration granted to the respondent. The registration granted to the respondent be transferred to the list of defaulter/cancelled projects. Further, since adequate opportunity has already been granted to the respondent to deposit the penalty, 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 earlier imposed penalty of ₹ 21.07/- lacs alongwith interest amounting to ₹1,75,998/- and cost of ₹2 lac. These orders be complied with by the respondent promoter within a period of 90 days of uploading of this order, failing which legal consequences shall follow. Since the registration in this case has been revoked therefore, the promoter shall not advertise, market, book, sell or offer for sale, or invite persons to purchase in any manner any plot, apartment or building, as the case may be.

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

3. Later, vide letter dated 24.06.2026, the respondent has requested to take on record the reply dated 06.05.2026 and their application for restoration of project registration be reconsidered. They also requested that charges levied in the matter may be waived.

4. Thereafter, vide letter dated 07.07.2026, the promoter has requested as under:

- i. The Project is stalled since last more than 8 years for reasons which have already been explained in our previous communications and beyond our control.
- ii. The facts stated herein have been recorded in order of hearing dated 07.08.2023 of Complaint No. (Suo Moto) 2810 of 2022. It is also recorded that we have requested to Issue User Id and Password for submitting the compliances. The Authority had then ordered to Issue the Use Id & Password.
- iii. They were waiting for User ID and Password to be issued for filing the QPRs as they were ready with all relevant documents on 30.08.2023 for uploading the QPRs.
- iv. The same facts were again highlighted vide e mail 11.03.2024.
- v. Reminder was again sent on 20.03.2024 through Mail for Issuance of Functional User Id and Password.
- vi. On the hearing dated 10.04.2024, it was requested to allow the Promoter to manually file the relevant Documents as the User Id and Passwords were non-Functional. The representative of the Promoter tried to submit the relevant documents manually at the counter, but was denied at the counter. So, a detailed reply in this regard was manually submitted at the Counter on 15.04.2024 requesting to accept the documents submitted through mail be considered.

vii. Finally, a functional User Id & Password was issued on 06.05.2024 by mail to them, which enabled us to submit the QPRs starting 1/10/2018 till 31.03.2023.

viii. Order dated 06.05.2026 of Complaint No. (Suo Moto) 1890 of 2022, Counsel had mentioned that they are filing the reply the same day, which was done on 06.05.2026 itself vide DAK Receipt ID: 52865.

ix. The promoter requested that the Cumulative penalty, may reasonably be computed as under:

Particulars	Details
Date from which Penalty is imposed	27.02.2023
Date on which certified financial data became available for uploading on the QPRs	30.08.2023
Total Period	185 days
Penalty @ Rs.1,000/- per day	Rs. 1,85,000/-

x. Promoter has deposited a sum of Rs. 2.00 lakhs, against Rs.1.85 lakhs calculated above, under protest towards the cumulative penalty imposed in the aforesaid matter vide Reference Number: RERA-PKLC1783083252 dated 03.07.2026 through Net Banking.

xi. With respect to Complaint No. (Suo Moto) 2810 of 2022, relating to the penalty for non-filing of the application for extension of the project registration, they were not able to apply for Extension due to Non availability of User ID and Password and the problems faced which has already been communicated to the Authority.

xii. In view of the above matter, against the order of Rs.6,50,000/- we have deposited a sum of Rs.3,00,000/- vide Reference Number: RERA-PKLC1783083572 dated 03.07.2026 through Net Banking.

xiii. In view of the above, it is requested to consider the bona fide circumstances explained herein, waive/ minimize the cumulative penalties imposed in both matters, and restore and validate the project registration in the interest of justice, upto the date of validity of License, which is 02.12.2029.

5. The above request of the promoter was placed before the Authority on 15.07.2026 vide Agenda Item No. 325.11 wherein, the Authority decided to re-open the Suo-Motu

Complaint No. 1890 of 2022 and Complaint No. 2810 of 2022 and consider the reply dated 06.05.2026 and the above submissions on the date of hearing, i.e., 05.08.2026.

6. In view of orders dated 15.07.2026 Agenda Item No. 325.11, the matter is again taken up for consideration.

7. Vide reply dated 06.05.2026, the promoter has submitted the following:

- a. Admit and consider the present reply to the Show Cause Notice dated 05.02.2026 and drop the proceedings initiated under Section 7 of the Real Estate (Regulation and Development) Act, 2016, as the registration had already expired by efflux of time and the alleged defaults arose out of force majeure and impossibility of performance.
- b. In the alternative, keep the present revocation and all consequential proceedings in abeyance and grant the Respondent a reasonable opportunity to place on record the updated and additional documents concerning QPR compliance up to 31.12.2025, revival funding, change in Developer composition, allottee consent/NOCs, TOD/TDR acceptance, compensation to allottees and DTCP licence renewal.
- c. Recognize the present case as one falling under force majeure/impossibility of performance and exercise discretion under Rule 6(2) of the HRERA Rules, 2017 in view of the judicial proceedings pending before the Hon'ble Debt Recovery Tribunal-II, Delhi, namely O.A. No. 72 of 2020 titled SBI v. Ozone GSP Infratech, the order dated 19.02.2020 passed therein, and the connected Counter Claim No. 5 of 2021 titled M/s Ozone GSP Infratech v. SBI & Ors.
- d. Take on record that the QPRs have now been filed up to 31.12.2025 and that the Respondent has demonstrated bona fide intent to revive and complete the Project in compliance with law.
- e. Waive, defer, or suitably reconsider the cumulative penalty of Rs. 21,07,000/-, interest thereon, and costs of Rs. 2,00,000/- in view of the complete financial impossibility, absence of wilful default, and the subsequent revival developments.

f. Permit the Respondent to file a supplementary affidavit and additional annexures placing on record the updated project finance position, allottee details, revival documents, consents/NOCs, compensation material and renewed approvals.

g. Pass any other order(s) as this Hon'ble Authority may deem fit and proper in the facts, circumstances and law of the case and in the interest of justice.

8. Today, considering reply dated 06.05.2026 and 07.07.2026, the Authority observes that on 07.08.2023, the Authority had directed to issue Login ID and password to the promoter, however, functional User ID and password was received to the promoter on 06.05. 2024. The Promoter is seeking relief from (07.08.2023 to 10.12.2023 wherein penalty of Rs. 1000/- per day was continuing) 126 days and (11.12.2023 to 06.05.2024 wherein penalty of Rs. 10,000/- per day was continuing) 148 days, total amounting to 274 days and the total penalty imposed during the said 274 days period amounts to Rs. 16,06,000/-. The Promoter has also paid an amount of Rs. 2 Lacs against imposed penalty of ₹ 21.07/- lacs along with interest amounting to ₹1,75,998/- and cost of ₹2 lac. Therefore, after recalculation, cumulative penalty amounts to Rs. 5,01,000/- and proportionate interest (from 19.02.2025 till 26.11.2025) amounts to Rs. 42,813/-. Since, the promoter has already paid Rs. 2 Lacs, therefore, the promoter is liable to pay penalty amounting to Rs. 3,01,000/- and interest amounting to Rs. 42,813/- and cost of Rs. 2 Lacs. The Authority also decided that proceedings initiated under Section 7 of the Real Estate (Regulation and Development) Act, 2016 against the project registration are hereby withdrawn, since, defaults arose out of force majeure and impossibility of performance.

9. In view of the foregoing discussion, the Authority is of the considered opinion that the respondent has earlier failed to comply with its statutory obligations and directions of the Authority, and the penalty imposed earlier is recalculated considering the facts and circumstances of the case. Accordingly, after hearing the matter again the present Suo-motu complaint is disposed of with the following directions:

i. The total penalty amounts to ₹3,01,000/-.



- ii. The respondent is further directed to deposit the said penalty amount along with interest amounting to ₹ 42,813/-. to and cost of Rs. 2 lacs within a period of **90 days** from the date of uploading of this order, failing which appropriate proceedings shall be initiated for recovery.
 - iii. The respondent is directed to apply for extension as per provisions of the Real Estate (Regulation & Development) Act, 2016 within a period of 15 days from the date of uploading of this order failing which the registration of the project shall be revoked.
 - iv. The respondent is directed to ensure strict compliance of all statutory requirements, including pursuing its application for extension/regularization in accordance with law.
10. The matter stands **disposed of** accordingly.


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Chander Shekhar
Member


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Dr. Geeta Rathee Singh
Member


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Parneet S Sachdev
Chairman