HARERA
GURUGRAM

BEFORE THE HARYANA REAL ESTATE REGULATORY AUTHORITY, GURUGRAM

Registration No.	**GGM/652/384/2022/127 dated 23.12.2022**
Name of promoter	**M/s Nourish Developers Pvt. Ltd.**
Name of project	**Smartworld One DXP Street**
Location of project	**Sector-113, Gurugram**
Suo motu complain no.	**RERA-GRG-3139-2024**
Date of decision	**18.07.2024**

ORDER

1. Whereas an application for registration of the above real estate project under section 4 of the Real Estate (Regulation and Development) Act, 2016 was submitted to the Authority by M/s Nourish Developers Pvt. Ltd. and after due consideration, the said real estate project was conditionally registered with the Haryana Real Estate Regulatory Authority, Gurugram with the following details:

S. No.	Particulars	Details
1.	Registration No.	GGM/652/384/2022/127
2.	Date of Registration	23.12.2022
3.	Date of expiry of validity of registration	31.12.2027
4.	Name of promoter	M/s Nourish Developers Pvt. Ltd.
5.	Name of project	Smartworld One DXP Street
6.	Area of project	0.58 Acres
7.	Nature of project	Commercial
8.	Location of project	Sector-113, Gurugram

2. Whereas on the request of the promoter, the Authority had decided to issue the registration certificate subject to the following conditions:

S. No.	Condition	Compliance due date	Date of approval obtained on
1.	Promoter shall submit approved fire scheme within 3 months from	23.03.2023	17.02.2023

	issuance of registration certificate		
2.	Promoter shall submit approved service plans & estimates within 3 months from issuance of registration certificate	23.03.2023	09.02.2024

3. At the time of registration of the project, the promoter had submitted the following security amount as a token to submit the above approvals in the Authority within the stipulated time period mentioned in the conditions

S. No.	Name of the bank	No. And date of refundable security	Amount
1.	ICICI Bank	Cheque no. 000762 dated 17.12.2022	25 lacs
2.	ICICI Bank	Cheque no. 000763 dated 17.12.2022	25 lacs

4. The promoter has obtained the approval of fire scheme within the stipulated time period mentioned in the conditions. However, the approval of service plans and estimates has been obtained with a delay of 323 days.
5. The Authority, in its meeting dated 01.01.2024 decided that compliances by the promoter must be made without fail within the timeline of conditional registration failing which the BG/ security be forfeited.
6. A show cause notice dated 01.07.2024 was issued to the promoter as to why the security amount submitted in lieu of the timely submission of approved service plans and estimates shall not be forfeited with an opportunity of hearing on 18.07.2024.
7. On 18.07.2024, Sh. Abhijeet Singh and Sh. Bharat Vigmal (AR) appeared on behalf of the promoter and requested for condonation of delay on the ground that the bank guarantee amount to Rs. 2.04 crores for release of service plans and estimates was deposited to the DTCP on 09.03.2023 against the approval from Chief Engineer GMDA, Gurugram dated 16.12.2022, however, the final approval of service plans and estimates was granted on 09.02.2024.
8. However, it is not disputed that the promoter was granted conditional registration at its own accord and depositing of security amount in the form of cheques in lieu

in lieu of submission of the requisite clearances within the time specified in the conditional registration. It was clearly mentioned in the registration certificate that these cheques shall be forfeited in case the conditions are not fulfilled by the promoter within the stipulated time period mentioned in the conditions.

9. Keeping in view the above, the security amount submitted on account of timely submission of service plans and estimates is hereby forfieted.

10. Since the promoter has now complied with the conditions mentioned in the registration certificate, the case is filed.

Secretary,
For and on behalf of: Haryana Real Estate Regulatory Authority, Gurugram

Haryana Real Estate Regulatory Authority, Gurugram

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