



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1706 of 2022

HRERA, Panchkula

...COMPLAINANT

VERSUS

Sahiba Constructions Pvt. Ltd.

....RESPONDENT

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

Date of Hearing: 02.09.2026

Hearing: 12th

Present: Adv. Arun Sharma on behalf of the respondent.

ORDER (Parneet S Sachdev-Chairman)

1. This Suo-motu complaint was registered against the respondent/ promoter for not uploading quarterly progress reports of its real estate project registered by the Authority vide Registration No. HRERA-PKL-JND-242-2021 dated 30.06.2021 valid upto 30.06.2022.
2. On 01.04.2026, ld. Counsel for the respondent appeared and submitted that a written reply has been filed on 30.03.2026. It was contended therein that the license no. 57 of 2011 has been renewed upto 22.06.2024. It was further contended that the respondent preferred an application before DTCP for grant of completion certificate on 04.02.2022. In response, the Directorate of Town & Country Planning, Haryana vide

letter dated 04.11.2024 has communicated certain observations/shortcomings. Ld. Counsel further submitted that an appeal (Appeal no. 367 of 2026) against the present Suo-motu complaint has been filed before the Hon'ble Real Estate Appellate Tribunal. The appeal is listed for 15.04.2026. Authority observed that mere pendency of an appeal does not operate as a stay on the proceedings. It is further noted that no interim stay or restrictive order has been granted by the Hon'ble Appellate Tribunal in the aforementioned appeal.

3. Proceeding with the hearing in the matter, learned counsel for respondent promoter raised a preliminary objection regarding the maintainability of the present proceeding, asserting they are vitiated by a fundamental breach of the Principles of Natural Justice. Ld. Counsel contended a lack of "proper and effective service," noting that physical notices were returned with the postal remark "addressee left," thereby depriving them of a fair opportunity to be heard.
4. The Authority overruled and set aside the respondent's objection as the notices/orders were delivered at the last available address of respondent as has been submitted by them in the Authority at the time of the registration of the project in question. Also, the record clarifies that service was duly effected via electronic mail (e-mail).

Further, Ld. Counsel apprised the Authority that the Quarterly Progress Report (QPRs) have been filed till 31.12.2025 on 24.03.2026. Upon perusal of the record, the Authority observed that since the requisite QPRs have been filed, no further accrual of penalty is warranted. Accordingly, the per-diem penalty shall be capped and effective only up to 23.03.2026. Authority directed the respondent to deposit the cumulative penalty amounting to ₹ 68,42,000/- and cost of ₹3,00,000/- (imposed on 30.07.2025, 08.10.2025 and 14.01.2026 for non-appearance of director of the respondent company) in the registry before the next date



of hearing. In the event of non-compliance with the aforesaid directions, the Authority shall be constrained to initiate execution proceedings against the respondent-promoter in accordance with law to recover the outstanding dues.

5. On the last date of hearing, i.e., 24.06.2026, neither anyone appeared nor was the penalty deposited by the respondent promoter. In the interest of justice, the Authority granted one last opportunity to the respondent promoter to deposit the cumulative penalty amounting to ₹ 68,42,000/- and cost of ₹3,00,000/- (imposed on 30.07.2025, 08.10.2025 and 14.01.2026 for non-appearance of director of the respondent company) in the registry before the next date of hearing failing which recovery proceedings as per Section-40(1) of the Real Estate (Regulation & Development) Act, 2016 (hereinafter referred as RERD Act, 2016) shall be initiated.

The office was directed to send a copy of this order at the registered address and email of the respondent promoter.

6. In compliance of the above, the copy of orders dated 24.06.2026 was returned with remarks "Addressee Absent" and "Door Locked" via registered post. However, orders have been delivered via email on 26.08.2026.
7. Today, learned counsel for the promoter Sh. Arun Sharma informed that the appeal no.367 of 2026 is pending before the Hon'ble Tribunal and listed for hearing on 14.09.2026, however, no stay has been granted as on date.

In view of above, since, adequate opportunity has already been granted to the respondent to comply with the above orders, the Authority in exercise of its mandate under Section 37 read with Section 34 of the RERD Act, 2016 hereby directs the respondent to deposit cumulative penalty

amounting to ₹ 68,42,000/- and cost of ₹3,00,000/- (imposed on 30.07.2025, 08.10.2025 and 14.01.2026 for non-appearance of director of the respondent company). 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.

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


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Chander Shekhar
Member


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Dr. Geeta Rathee Singh
Member


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Parneet S Sachdev
Chairman