HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1095 OF 2020

HRERA, Panchkula .... COMPLAINANT

VERSUS

Haryana Shehri Vikas Pradhikaran, Hisar ....RESPONDENT

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

Date of Hearing: 16.09.2026
Hearing: 27th
Present: Tarun Ranga appeared on behalf of the promoter

ORDER (Nadim Akhtar-Member)

Registration No. HRERA-PKL-HSR-41-2018 dated 06.09.2018 was valid upto 31.12.2019. The respondent promoter has neither submitted an application for extension of registration nor completion certificate of the colony.

2. The matter was considered by the Authority on 07.08.2023 when the respondent promoter was directed to show cause as to why registration may not be revoked by the Authority U/s 7 of the RERA Act, 2016 and penalty proceedings U/s 61 read with Section 63 be not initiated for contravention of the provisions of the Act and not complying with the orders of the Authority.

3. Thereafter the matter was considered by the Authority on 09.10.2023,when the Authority granted last opportunity to the respondent to comply with the orders failing which it will be constrained to impose penalty of ₹5 lac U/s 61 read with Section 63 of the provisions of the Act.

4. On 18.12.2023, learned counsel Advocate Tarun Ranga appeared on behalf of the respondent and submitted that the respondent forgot the Login Id and Password and sought time to file reply. The Authority directed that the Login Id and

password be provided to the respondent. Authority also directed that the concerned E.O. should be personally present on the next date of hearing.

4. Thereafter on 21.02.2024, Adv. Tarun Ranga appeared on behalf of respondent and due to continuous non compliance of its orders , the Authority was constrained to impose a penalty of ₹5,00,000/- under Sections 61 read with Section 63 of the HRERA Act, 2016, directing respondent to its deposit the same before the next date of hearing.

5. On 10.04.2024, learned counsel Sh.Tarun Ranga appeared and sought time to file reply to the orders of the Authority dated 21.02.2024 were uploaded on 09.04.2024.Acceeding to the request of the learned counsel, the Authority granted time to the promoter to file reply before the next date of hearing. The Authority also directed that the concerned E.O. to be personally present on the next date of hearing.

6. On 05.06.2024, learned counsel, Sh. Tarun Ranga, appeared on behalf of the promoter and submitted that the application for extension of the project would be filed on the same day. Sh. Rajesh Koth, E.O., who appeared through online mode, requested the Authority to waive the personal cost of ₹5,000/- imposed vide order dated 21.02.2024. The Authority directed the E.O. to submit a formal application seeking waiver of the said cost. The Authority further directed the promoter to deposit the penalty of ₹5,00,000/- imposed vide order dated 21.02.2024 with the Authority before the next date of hearing..

7. On 28.08.2024, Sh. Tarun Ranga appeared on behalf of the respondent and submitted that a request letter dated 14.08.2024, seeking the grant of a moratorium in all suo motu complaints and project-related cases concerning IISVP, had been submitted to the Authority. Learned counsel requested that the matter be adjourned until the Authority decided the request for grant of the moratorium. Sh. Rajesh Koth, E.O., requested the Authority to waive the personal cost of ₹5,000/- imposed vide order dated 21.02.2024, stating that he had been assigned multiple duties during that period, due to which he could not attend the hearing. Acceding to the request of the Estate Officer, the Authority decided to waive the personal cost of

₹5,000/- imposed for his non-appearance. The Project Section was directed to place the request letter submitted by HSVP before the Authority for consideration.

8. On 18.12.2024, Sh. Tarun Ranga appeared and requested for an adjournment in lieu of order dated 09.10.2024 under item no. 266.05 passed by the Authority. For ready reference, order dated 09.10.2024 under item no. 266.05 are reproduced below:

"5. *Thus, HSVP is squarely covered under above definition of promoter is a promoter. Taking a lenient view, Authority will not to take coercive actions till a period of six months is over or 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 very much 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*"

He further apprised the Court that a reference in this regard has been sent to the Government. He further requested to adjourn the matters till any directions are received from the Government.

The Authority directed the counsel to submit a copy of the reference sent to the Government and with the directions to deposit the penalty amounting to Rs 5 Lacs already imposed by the Authority before the next date of hearing.

9. On 12.03.2025, Adv. Neeraj Goel, proxy for Adv. Tarun Ranga appeared and requested for some time for 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.

10. On 28.05.2025, Adv. Tarun Ranga, appearing on behalf of the respondent, requested the Authority not to impose the rate of interest prescribed under Rule 15 of the Haryana Real Estate (Regulation and Development) Rules, 2017, on the respondent. He submitted that the respondent had filed an application dated 27.05.2025 seeking an extension of the moratorium period, stating that an

application had been sent to the Ministry of Housing and Urban Affairs seeking clarification regarding the applicability of the RERA Act to statutory bodies such as HSVP, and a reply was awaited. He further submitted that the respondent was also in the process of filing a Special Leave Petition (SLP) before the Hon'ble Supreme Court against the orders passed in CWP No. 4760 of 2020, titled Anil Kumar Yadav and Others v. State of Haryana. He further submitted that, being a government organization, the respondent required time to obtain approvals through the proper channel. Accordingly, Adv. Tarun Ranga requested the Authority to grant a moratorium of at least nine months and to treat the said period as a zero period for the purpose of calculating penalties and interest thereon.

16. On 03.12.2025, Adv. Tarun Ranga appeared on behalf of HSVP and submitted that they have 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 3/12/25 has also been submitted during the course of hearing by the counsel.

17. On 29.07.2026, neither anyone appeared on behalf of the promoter nor was any reply filed on behalf of the promoter. Further, no correspondence has been received from HSVP after 03.12.2025. The office, upon checking the status of the case matter on the online portal of the Hon'ble Supreme Court of India, 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 Vs. State of Punjab, stands dismissed vide order dated 09.02.2026. In view of the dismissal of the aforesaid SLP by the Hon'ble Supreme Court, the Authority directed the promoter to deposit the penalty of ₹5,00,000/- imposed vide order dated 21.02.2024, in compliance thereof.

18. 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 ₹ ₹5,00,000/- within a period of 90 days of uploading of this order, failing which legal consequences follow. As the registration of the project has lapsed, the Authority impose a complete ban on advertisement, sale, and creation of any third-party rights in the project.

The office is directed to inform the Concerned Deputy Commissioner of the ban on sale imposed by the Authority with the directions not to allow sale / purchase and registry of plots in the project/colony.

19. Disposed Of.

Chander Shekhar
Member

Dr. Geeta Rathee Singh
Member

Nadim Akhtar
Member