

**HARYANA REAL ESTATE REGULATORY AUTHORITY
PANCHKULA**

Complaint No. : 1165/2018

Hearing : 2nd

Date of hearing : 07.02.2019

HRERA, Panchkula

Versus

M/s Eldeco Infrastructure & Properties Pvt. Ltd

CORAM : 1. Sh. Dilbag Singh Sihag, Member

2. Sh. A.K Panwar, Member

APPEARANCE Sh. Sauvier Sharma, Counsel on behalf of the developer.

ORDER :

Notice was issued to the respondent to show cause as to why the proceedings under Section 59 of the RERA Act not be initiated against him on his failure to get the project registered with the Authority for which he was granted license No. 36 of 2008.

2. On the last date of hearing, respondent produced a part completion certificate granted to him for the project in question. Said certificate was covering the entire project except for the part completion certificate issued on 02.02.2018 and therefore the Authority decided to give an opportunity with the direction to the respondent to produce correspondence transacted with the Town and Country Planning Department. Such direction was issued with a view to ascertain whether



or not there was some serious deficiency on the part of the respondent by which the issuance of completion certificate was not at all possible.

3. Today, the respondent has produced the documents revealing that the part completion certificate was applied on 03.12.2015 and the concerned department vide its letter dated 17.05.2016 has pointed out that certain deficiencies in his application. Respondent replied to these deficiencies vide his letter dated 30.06.2016. The department on the basis of the said reply, has issued a letter dated 26.07.2016. Said letter reveals that the respondent has completed all the deficiencies and the completion certificate was kept pending for the reason that some part of the project area was falling within Natural Conservation Zone (NCZ).

4. The issue concerning NCZ was got resolved in somewhere in December, 2017 and there upon, the respondent was granted the part completion certificate in February, 2018. The very fact that the part completion certificate was granted in February, 2018 proves that the area of the project was not falling in the NCZ. All the facts enumerated herein before, thus reveal that the respondent has complied with all the necessary formalities entitling him to obtain part completion certificate before coming into force the RERA Act, 2016 and the issuance of certificate to him was delayed only for verification on the point whether or not the project was falling in Natural Conservation Zone. So, the respondent was not

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required to get his project registered and the notice issued to him discharged. File
be consigned to the record room.



Dilbag Singh Sihag
Member



Anil Kumar Pnawar
Member