

TRL Riceland Pvt. Ltd.
Vs.
HRERA, Gurugram
CM Nos.95, 96 & 97 of 2024
In Appeal No.1-MT-2024

Present: Nemo.

Appellant has posed challenge to order dated 26.10.2023 passed by the Authority at Gurugram. Relevant part whereof reads as under:

“8. Whereas in the Authority meeting dated 17.07.2023, it was decided that the above fees is to be paid by the promoter M/s TRL Riceland Pvt. Ltd.

9. Therefore, you are directed to pay the late fees (Recovery fee) i.e., Rs. 55,56,578/- within a period of 30 days failing which further action for revocation of the Registration issued for the project shall be initiated. ”

From perusal of the aforesaid order, the parameters adopted by the Administrative Officer, HRERA, Gurugram while directing the promoter to pay an amount of Rs. 55,56,578/- as late fee is not clear. It also needs to be examined whether the Administrative Officer is vested with the jurisdiction to pass an order of the nature, which has been impugned herein.

It appears that number of cases relating to levy of late fee are under consideration of this Bench.

It is, thus, directed that till the stand of the Authority at Gurugram becomes clear, it shall maintain status quo and no further orders, directions would be issued in this regard till the next date. If order dated 26.10.2023 reproduced above has not been complied with, operation thereof shall remain stayed till then.

List on 11.07.2024.

Copy of this order be sent to the Chairman HRERA, Gurugram.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

31.05.2024
Manoj Rana