



HARYANA REAL ESTATE REGULATORY AUTHORITY, PANCHKULA.

Mini Secretariat (2nd and 3rd Floor), Sector-1, Panchkula.

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Extract of the resolution passed by the Haryana Real Estate Regulatory Authority, Panchkula in its meeting held on 11.01.2021.

Item No. 122.14

- (iii) **Promoter :** Savyasachi Infrastructure Pvt. Ltd.
Project : "Amaya Greens" - Affordable Residential Plotted Colony to be developed over an area measuring 10.50 acres situated in Sector-77 MBIR (old Sector-10A), Bawal, Rewari.
Temp ID : RERA-PKL-790-2019
Present: None.

1. When the matter had come up for hearing on 16.03.2020, the Authority had passed the following orders: -

"Shri Dipak Chakraborty, authorized representative of M/s Savyasachi Infrastructure Pvt. Ltd. is present before the Authority. He stated that the promoters of the project have changed the name of project as the project has passed in the hands of Savyasachi from Dream Build Creation company. They also want to change the name of the project from 'Model Town' to 'Amaya Greens'.

2. This matter had come up before this Authority earlier in its meeting dated 10.02.2020 when the Authority had observed that if there is a requirement to change of name of project along with change of promoters then a fresh application need not be filed. A simple application for change of project and change of promoters should be filed. Shri Chakraborty confirms that the entire project will remain same, there is no change of layout plans, and they only wish to change the name of the project with change in promoters.



3. The promoters of the new company are directed to submit the following information/documents before the Authority:-

- i) Whether they have sold any plot/apartment in the earlier registered colony, if yes, then consent of 2/3rd of the allottees for change of name of project and change of promoters be submitted to this Authority;
- ii) Information relating to the action taken since the date of registration till date i.e. whether any investment has been made on the project, if yes, details thereof;
- iii) A copy of the documents supporting the transfer of the entire project by earlier promoters in favour of M/s Savyasachi Infrastructure Pvt. Ltd.;
- iv) A joint undertaking by way of an affidavit signed by the new promoters as well as earlier promoters swearing that the project now stand transferred in favour of Savyasachi Infrastrucure Pvt. Ltd.
- v) An undertaking that all the liabilities which have referred by the earlier promoters will be cleared by the new promoters as well as commitments made by the earlier promoters to the owners who have been allotted plots;
- vi) Earlier the plots to be transferred to the licensee owners were earmarked in the layout plan. The new promoters will have to commit in writing before this authority that they will be honored. Legal documents in this regard shall be put up before the Authority.
- vii) A proof showing that the change of developers has been affected with the approval of the licensee owner.”

2. Thereafter, following additional observations were made by the Authority on 13.07.2020: -

“While the Authority would have no objection if the developed land was to be allotted to the land owning companies in the given proportion. If such an agreement is made, the colony cannot be



marketed for sale of plots to the general public by the developer. Accordingly, if the plots are not proposed to be sold to the general public then, subject to clearance of the relationship between M/S Savyasachi Infrastructure Pvt. Ltd. and the other companies, the project can be registered. However, if the project is proposed to be marketed to the general public, then it has to be clarified who will market the same. If the promoter is to market the plots as provided for in clause 8 then all the rights to sell and execute conveyance deeds have to be conferred upon the applicant promoter. However, if the developed plots are to be marketed by the respective partners at their own level in that case the project cannot be advertised for sale without obtaining the completion or the part completion certificate from the Town and Country Planning Department.

5. The promoters should clarify the position on the above issues on the next date of hearing. A representative of the applicant who is well versed with the facts of the matter should be present before the Authority for giving clarifications.

6. Another requirement of the Authority is that this being a green field project, an entry in the revenue record in respect of all the pieces of the land should be got made that the land has been licensed for development of a colony by virtue of the license No. 100 of 2017 dated 23.11.2017 granted by the Town & Country Planning Department.”

3. Thereafter, the matter was considered three times and finally on 07.12.2020 when the Authority had passed the following orders:-

“This matter was last heard on 26.10.2020. Despite giving opportunities, quarries of the Authority have not been replied to. Nobody is present today also on behalf of applicant/promoter. On the last date of hearing, last opportunity was granted, failing which a Show Cause Notice for rejecting the application would be issued.



3. Since neither any representative appeared today on behalf of the applicant nor any reply has been received, it appears that the applicant/promoter is not serious in pursuing his application for registration of the project. Accordingly, now a Show Cause Notice is hereby issued to the promoter as to why his application be not rejected for non-prosecution of the matter.”

4. Today is the ninth hearing of the matter and after availing various opportunities, neither any reply has been received from the promoter nor anyone appeared before the Authority.

5. In view of the above, the Authority decides to reject the application for registration of the project and refund the fee after deducting 5% as administrative charges.

True copy



dmw
Executive Director,
HRERA, Panchkula

A copy of the above is forwarded to CTP, HRERA Panchkula, for information and taking further action in the matter.

anand
15/1/21

LA(Divya)