



**HARYANA REAL ESTATE REGULATORY AUTHORITY, PANCHKULA.**

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**Extract of the resolution passed by the Haryana Real Estate Regulatory Authority, Panchkula in its meeting held on 09.11.2020.**

**Item No. 116.09**

**(vi) Promoter : BPTP Ltd.**

**Project : "Park Arena" - Group Housing Colony having an FAR of 75259.868 sq. mtrs. in Sector-80, Faridabad.**

**Temp ID: RERA-PKL-870-2020**

**Present: Shri Hemant Saini, Counsel for the applicant/promoters & Shri Mansoor Ali, representative of the applicant company.**

1. In furtherance of the previous orders, following position was submitted by Shri Hemant Saini, Learned counsel today: -

- i) The project is being constructed on 10.63 acres of land and has an approved FAR of 75281 Sq. Mtrs. 10 towers were initially proposed to be constructed. The promoter had decided to construct 4 towers initially and remaining 6 towers were planned to be constructed later on.
- ii) For the 4 towers an application for registration was filed before the Interim Authority in July, 2017 in respect of which registration fee of Rs. 3.11 lacs were deposited. Certain observations were conveyed by the Interim RERA in August, 2017.
- iii) Thereafter, when regular RERA was constituted the application form for registration of the projects were changed thrice. The promoters had filed revised application each time on the revised format except on Proforma A to G for which the application was filed on



13.04.2018. Finally, they submitted their online application on 25.07.2019.

- iv) The Project Section has calculated the total fees payable as Rs. 13,24,013/- lacs. Since Rs. 3,11,703/- had been paid in the year 2017, remaining Rs. 10,05,447/- were paid by the promoters on 11.08.2020. The deficit registration fee now works out to Rs. 6,863/-
- v) The basic issue in the project is that the promoters do not wish to develop this project in very near future. Nearly 200 apartments had been sold out in the past, for which they have already arrived at settlement with 150 allottees and settlement with about 55 allottees is yet to be made. The promoters do not wish to construct this project at present and they are approaching remaining allottees also for settlement.
- vi) Needless to mention here that if any of the 55 allottees approach this Authority by way of a complaint, the Authority will take its decision as per Law and Rules.

2. Another question at the moment is that when this application was filed, the promoter had shown completion of the project by 2030. The Authority had objected to such late completion date of the project. Now Shri Saini states that the project will be completed by 2025. He conceded the point that even though this project is not proposed to be launched in near future, still since it squarely falls within the definition of an "Ongoing project", they will complete their application for its registration.

3. The application filed for registration has been examined by the Authority. It has been found deficient in following respect :-

- i. Submit Registered collaboration agreement by the licensees in favour of the promoter ;
- ii. Submit registered irrevocable power of attorney in favor of the promoter conferring full rights to market, develop, sell, advertise and conveyance of apartments in favour of the allottees.
- iii. Status of renewal of License Nos. 1269-1271 of 2006 which has expired on 10.11.2019



- iv. Registration fee is deficit by Rs. 6,863/-.
- v. REP II Affidavit-cum-Declaration Form be submitted
- vi. FAR has been mentioned instead of filling land area of the project in Part B of the online form

4. The only question that remains is with regard to payment of applicable late fee for filing the application with delay. The argument of the promoters is that they had filed the application in July, 2017. Thereafter, they have been filing the applications repeatedly in accordance with the formats prescribed by the Authority from time to time. Further, when the Authority pointed out deficiency in registration fee, they paid the remaining fees also. For these reasons, Shri Saini argued that the provisions of Regulation No. 65.9 dated 26.08.2019 in which late fee for delay caused has been prescribed should not be made applicable on them.

5. Adjourned to 21.12.2020.

True copy



*dm*  
Executive Director,  
HRERA, Panchkula

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

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20/11/20 LA (Tarun)