

BEFORE THE REAL ESTATE REGULATORY AUTHORITY, PANCHKULA

Project Name: Krishna Kunj having an area of "15 acres" in Village Narkatari, Sector -46, Kurukshetra.

Name of the Applicant: M/s Antique India Pvt. Ltd.

Date of hearing : 23.08.2018

Present: Shri Mohinder Kumar Goyal and Vijay Taneja on behalf of the promoter.

Quorum Chairman and Both the Members of the Authority

ORDER:-

1. This is an application for a new colony Krishna Kunj proposed to be set up in village Narkatri Sector-46 Kurukhetra for which licence No.1007 of 2018 dated 02.02.2018 stands granted by the Director, Town & Country Planning Department, Haryana. This matter was earlier considered by the Authority in its meeting held on 02.07.2018 when certain observations were made including as to how will the portion of the land which comes to the share of the land owners be apportioned and who will market that portion of the land. The Authority had made the following observations:-

" i) How will the portion of the land which will come in to the share of the land owners be apportioned and who will market that portion of the land. If the said 1300 Sq. Yards per acre of the saleable area is

to be sold by the land owners, then the same should be earmarked separately on the lay out plan and excluded from the request for registration. If the said 1300 Sq. yards per acre land is also to be marketed by the applicant then a clear authority in that regard should be obtained from the land owners in favour of the applicant.”

2. Shri M.K. Goyal and Shri Vijay Taneja appearing on behalf of the promoters submitted draft No. 792130 of Rs. 36500/- towards deficient fee. They also submitted an irrevocable power of attorney signed by the land owners in favour of the applicant company. They, however, did not submit any information with regard to the above quoted observations of the Authority made in its orders date 02.07.2018. The representative of the applicant however verbally stated that they have entered into a fresh agreement in which the revenue from the sale of the plots will be apportioned in the ratio of 50:50 between the land owners and the developers. The said agreement, however, is not registered.


3. After consideration, the Authority observed that a registered agreement cannot be the altered by an unregistered agreement. If the revenue sharing agreement is final arrangement between the collaborating parties then the same should be got registered. Alternately, they should file a joint application for registration of the project. Another option is to earmark the land that will come

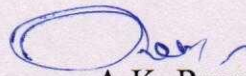
into the share of the land owners and the applicant could file the application only in respect of the land that will come into their share. The Authority directed the applicant to take appropriate decision in this regard at their level and submit appropriate documents for consideration of the application accordingly.

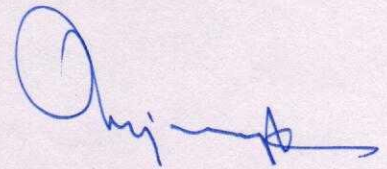
4. It was also stated by the representative of the applicant that they have already got an entry made in the revenue record. The authority directed them to submit a copy of that before the Authority to enable it to proceed further.

5. The applicant shall submit above informations immediately.

Adjourned to 18.09.2018.

  
Dilbag Singh Sihag  
Member

  
A.K. Panwar  
Member

  
Rajan Gupta  
Chairman