



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 08.11.2021.

Item No. 156.06

Confirmation of Minutes of Item No. 153.14 (i) of the meeting held on 11.10.2021.

The Authority after going through the observations of Hon'ble Member-I as circulated with the agenda notes resolved to modify the decision in respect of Item No. 153.14 (i) of the meeting held on 11.10.2021 in the following manner:

Item No. 153.14 (i) – Meeting held on 11.10.2021

“1. The Authority had passed order dated 20.09.2021 as follows:

“Observed that the application earlier filed is deficient on certain counts as already pointed out by the Authority in its orders dated 23.08.2021. Shri Sanjeev Jain, M.D. of the applicant company stated that they will submit updated application immediately.

When revised application is filed by the promoter, the same be taken up for consideration. Without registration of the project, further sales will remain prohibited.”

2. Today, Shri Pranay Malhotra, appeared before the Authority informed that Town and Country Planning Department is seeking additional renewal fee of 2% for renewal of the license upto 2023. The same is yet to be deposited. He therefore sought time to file the revised application.

3. Taking note of the above, Authority observes that payment of additional fee for renewal of license is a matter between the promoter



and the Department. As far application filed for registration is concerned, lot of information as already pointed out has to be incorporated/corrected in the online proforma by the applicant/promoter. The Authority vide orders dated 23.08.2021 had advised the promoter to revise his application but the promoter has not yet complied with the directions.

Further, License no. 36 of 2010 dated 07.05.2010 issued by the Town & Country Planning Department expired in May 2014 after which the status of renewal is not known.

4. Authority observes that a valid of license is mandatory as per rule 5 of Haryana Real Estate (Regulation and Development) Rules, 2017 as reproduced below: -

“Grant or rejection of registration of project-(1) Upon the registration of a project, the Authority shall issue a registration certificate with a registration number in Form “REP-III” to the promoter for the stipulated period of completion of the project as mentioned in the application of the promoter provided that the license and other permissions granted to the promoter by the competent authorities are valid at the time of such registration. In case, the stipulated time of such registration is beyond the validity period of license, then the promoter shall renew his said license/permission for the remaining period well in time. Otherwise, his registration may be cancelled after giving him an opportunity of being heard.”

5. Since, license issued to the promoter has already expired in May 2014 and promoters have failed to get the same renewed in spite of number of opportunities granted to them, therefore, it seems that the promoters do not have serious intention to get the project registered, and their application for registration has been filed only to avoid the consequences of non-registration.



6. In the circumstances, Authority decides to issue a notice to the promoters as to why their application for registration of project be not rejected. Needless to mention that such a rejection will be followed by legal consequences as per law.

7. Adjourned to 27.12.2021.”

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.

all records

16/11/21

LA (Hydr)

Prdha
16/11/2021