



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 28.03.2022.

Item No. 169.15

Consideration of the applications received by the Authority for Registration of New Projects.

(i) Promoter : Ferrous Infrastructure Pvt. Ltd.

Project : "Ferrous Beverly Homes" – Group Housing Colony on land measuring 11.85 Acres situated in Sector-89, Faridabad.

Temp ID: RERA-PKL-748-2019

**Present: (i) Sh. Sourabh Goel Counsel for the applicant/ promoter
(ii) Shri Ashish Seth, Managing Director of the promote company.**

1. Learned Counsel for applicant promoter Shri Saurabh Goel drew the attention of Authority towards the order dated 13.01.2020, whereby, the Authority had observed that the license for the colony was granted in respect of 11.85 acres of land, whereas, this application had been filed in respect of 7.138 acres of land. He stated that so far, the colony on 7.138 acres only has been developed and remaining nearly 5.85 acres area is lying vacant. Further, they have no plan to develop apartments in the remaining land. In fact, the promoter is considering surrender of license in respect of the remaining land.

2. On the basis of above arguments, learned counsel Shri Goel argued that registration fee as well as penalty on the basis of Resolution No. 65.9 should be re-calculated taking project area to be 7.138 acres and not on the basis of entire 11.85 acres land. Further, Shri Goel, under instruction, stated that applicant/promoter is ready to pay basic registration fee as well as late fee/penalty in respect of the project developed on 7.138 acres land.



3. Authority considered the contention of Shri Goel made on behalf of promoter company. Authority observes that if project on remaining 5.85 acres of area has not been launched, nor any sale has been effected, nor there is any intention for commencing the project on this area, Authority would consider it as Phase-II and allow this application to be processed only in respect of Phase-I, which is being developed on 7.138 acres of land. Accordingly, Applicant/promoter should either surrender the license in respect of remaining 5.85 acres of land, or whenever they decide to start Phase-II of the project, they will get it registered with this Authority for its launch.

4. Learned Chief Town Planner has reworked the registration fee as well as late fee payable by promoters on the basis of 7.138 acres of project which is as under:

Registration fee on 7.138 acres:	Rs. 8,99,362.10
Registration fee already paid:	<u>Rs. 8,92,004.00</u>
Balance:	Rs. 7,358.10
Delayed fee/ penalty:	<u>Rs.13,49,043.16</u>
Balance to be paid:	<u>Rs.13,56,401.16</u>

5. It is further observed that the license of the project had expired longtime ago and its renewal has not been considered by the Town and Country Planning Department on account of non-payment of Rs. 26 lacs license fee. Managing Director of the promoter company Shri Ashish Seth states that some money is recoverable from the department and they have requested the department for adjustment of Rs. 26 lacs license fee from such recoverable amount.


6. Authority observes that this dispute between the department and the promoter is going on for a long period of time. This matter has to be resettled by the promoter with the department. The Authority observes that non-renewal of license in fact is harming the interests of the promoter for that reason, grant of occupation certificate will be delayed and as per law, allottees will continue to be entitled for payment of delay interest upto the date of receipt of possession after obtaining Occupation Certificate.



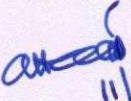
7. Adjourned to 25.04.2022 when the application for registration will be considered after receipt of registration fee.

True copy




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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