



**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 18.07.2022.**

**Item No. 179.34**

(xiii) Promoter : Creative Buildwell Pvt. Ltd.

Project: "Tulip City Sonipat Phase-II" - Affordable Residential Plotted Colony under DDJAY on land measuring 10.156 acres situated in revenue estate of village Rewali, Sector-17, Sonipat.

Temp ID: RERA-PKL-1057-2022

AND

(xiv) Promoter : Shree Banke Bihari Healthcare LLP

Project : "Tulip City Sonipat Phase-III" - Affordable Residential Plotted Colony under DDJAY on land measuring 11.125 acres situated in revenue estate of village Rewali, Sector-17, Sonipat

Temp ID: RERA-PKL-1080-2022

Present: Sh. Jyoti Sidana, Representative of promoter company.

1. Authority has gone through facts placed before it. Representatives of applicant-company were present in person.
2. Town and Country Planning Department, Haryana issued a license No. 52 of 2022 dated 6.5.2022 for development of a 21.28 acres plotted colony in District Sonipat. Previously an application dated 20.5.2022 with Temp id-1057 of 2022 was <sup>filed</sup> by M/s Creative Buildwell Pvt. Ltd. for development of a DDJAY colony on land measuring 10.156 acres. The area measuring 10.156 acres sought to be registered is a part of licence No. 52 of 2022 granted for 21.28 acres land.
3. Said application was considered by Authority on 30.5.2022 when following observations were made:-





“i. That License no. 52 of 2022 dated 06.05.2022 has been granted in respect of 21.15 acres (indicated as 21.28 acres in the schedule alongwith a layout plan of 21.28 acres), however, the applicant-promoter has filed an application for registration of only 10.156 acres, out of total land measuring 21.15 acres.

Taking note of the above, Authority is of the view that if remaining area is not proposed to be developed and marketed, then the promoters should either surrender the license in respect of rest of the land or should get phasing of the project done from Town and Country Planning Department. Alternatively, promoter/applicant should file an application for the entire licensed area. Therefore, Authority grants an opportunity to the applicant/promoter to clarify their position in this regard

ii The financial statements of the company have not been submitted. These should be submitted before the next date of hearing.”

4. Now another application filed by promoter M/s Shri Banke Bihari Health Care, LLP has been received in respect of land measuring 11.125 acres. It is noted that this application relates to the remaining area of project for which licence No. 52 of 2022 had been granted.

5. Important fact is that total project is comprised of 22.28 acres against which two separate applications for registration have been filed, one by M/s Creative Buildwell Pvt. Ltd. and second by Shri Banke Bihari Health Care LLP. In other words, two separate applications for registration of two parts of the project have been filed, but overall project is one and same. Layout plans and other plans have been approved for whole of the project. It is assumed that infrastructure facilities of entire project will also be joint and common.

Legal arrangements between both the applicant-companies have been arrived at by way of a Joint Development Agreement. The Joint Development Agreement stipulates that respective groups will develop their respective portions of the project. They at their own level will market their portions and also execute conveyance deeds at their own level.

6. Authority observes that license has been granted by Town & Country Planning Department to the land owners in collaboration with developer M/s Creative Buildwell Pvt.Ltd. It is Creative Buildwell Pvt. Ltd. only which shall





be held responsible for building all infrastructure facilities, to maintain such facilities and to also obtain part completion certificate/ completion certificate as per norms of Town and Country Planning Department. M/s Banke Bihari Health Care LLP will have no responsibility or liability in respect of development or maintenance of infrastructure facilities. Allottees are entitled to press for their claims for proper laying of infrastructure and further maintenance from the respective promoters but when common facilities will be laid separately, how such responsibility will be apportioned between promoters needs to be clarified.

7. The promoters sought time to rework their legal arrangements with each other and to place fresh documents before this Authority.

8. Adjourned to 08.08.2022.



True copy

Executive Director,  
HRERA, Panchkula

*all*  
*2/8/22*

*LA (Gazima)*  
*ganina*  
*2/8/22*

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