



**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 08.08.2022.**

**Item No. 181.16**

**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: Sh. Sourabh Goel Counsel for the applicant/ promoter.**

1. Authority had passed a detailed order dated 30.05.2022 vide which a show cause notice was issued to the promoter as to why this application be not rejected. Detailed reasons for issuing the show cause notice were stated in the said order dated 30.05.2022.

2. Sh. Sourabh Goel, learned counsel for promoter appeared through Video Conference and stated that Promoters have filed an application dated 03.08.2022. with Town and Country Planning Department Haryana for renewal of license. License renewal fee amounting to Rs.62.63 lacs was deposited on 03.06.2022. Further, entire EDC and IDC in respect of the project stands paid as well as other dues have been cleared. Ld. Counsel Sh. Goel stated that promoter expects that license of the project in question will be renewed within next 15 days.

Learned counsel Sh. Goel drew attention of the Authority towards para 6 of the order dated 30.05.2022 stating that observations of Authority therein are incorrect to the extent that the application for registration of project will be considered only after the already sold project is completed and occupation certificate is obtained. Sh. Goyal stated that promoter is not proposing to





complete entire project on total land measuring 11.85 acres. Promoters have reduced the scope of project. They have filed this application for registration of only of 7.138 acres land. On remaining portion of land, project will not be constructed. Further, in the existing (7.138 acres) project total 394 apartments were to be constructed. 364 apartments have already been sold. Nearly 90% works of the apartments has been completed. Possession has been offered to 150 families out of which nearly 50 families are residing in the project.

3. Ld. Counsel Sh. Goel argued that registration of project by Authority will facilitate recovery of nearly 28 crores from existing allottees and will help sale of unsold apartments. With the money to be so generated project would be completed.

4. After consideration of submissions made by Ld. Counsel Sh. Sourabh Goel, Authority observes that as per report of Local Commissioner, as reproduced in the order dated 30.05.2022, serious deficiencies in the project have been noted. Several, infrastructure facilities are yet to be created. Work of EWS apartments is yet to commence. Virtually no progress is taking place since 2015. As such, even if the license of the project is renewed at an early date, project is unlikely to get occupation certificate without development of infrastructure facilities, construction of EWS apartments and rectification of numerous defects pointed out in the report of Local Commissioner. In the face of such serious defaults on the part of promoter company, Authority is reluctant to register this project because that would amount to facilitating sale of unsold apartments in this stuck project. Authority fails to understand why applicant/promoter has not developed requisite infrastructure facilities and has not commenced construction of EWS apartments despite having full knowledge that without these facilities and requirements they will not be granted occupation certificate by Town and Country Planning Department. Further, without an occupation certificate lawful possession cannot be offered to the allottees. Nothing stops the promoter from going ahead and developing the project as they have already received major portion of the consideration payable by the allottee.

5. Authority cannot register project without renewal of license and without submission of a comprehensive project report listing out therein various development works to be carried out including repair and maintenance of dilapidated apartments; Estimate of the cost to be incurred on each of the works and the timelines for execution of those works.

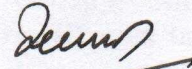




6. Authority reiterates that at this stage, the project is not fit to be registered and the show cause notice issued for rejection of this application deserved to be confirmed. However, in the interest of project and allottees of the project, promoters are called upon to submit above information including renewal of license. Depending upon information so submitted, Authority may take appropriate decision on the next date. Learned counsel Sh. Goel stated that they can furnish the information within 15 days and sought a short adjournment.

7. Adjourned to 05.09.2022.

True copy



Executive Director,  
HRERA, Panchkula



*Amended*  
24/8/22  
LA (Indu)

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