



**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 04.07.2022.**

**Item No. 178.17**

(ix) Promoter : M/s SVC & Lahari

Project : “Urban Blossom” - Affordable Plotted Colony under DDJAY on land measuring 5.00 Acres, situated in Revenue Estate Village Sarai Khawaja, Sector-43, Faridabad.

Temp ID: RERA-PKL-1054-2022

Present: Sh. Hardeep Kumar, learned counsel for the respondent .

1. On 09.06.2022, the Authority had passed following order:

“This matter had come up for hearing before the Authority on 09.05.2022 when Authority had observed that the license granted by the Licensing Department carries a Condition No. 5 as reproduced below: -

“5. That the final decision of State Level Committee on the recommendation of District Level Sub Committee regarding inclusion/exclusion of applied land from NCZ category shall be binding upon you and you shall abide by the same. In case of any decision of State Level Committee contrary to the recommendation of District Level Committee, the license shall be withdrawn and no claim, whatsoever, shall be entertained.”

1. The Authority had further observed that since license has been granted with the condition that it could be withdrawn at a later stage, therefore, it is not possible to register the project with such condition because after granting the RERA registration, third party rights will be created by promoters and in the event of withdrawal of the license, ultimately, allottees will be sufferers, therefore, Authority directed the applicant/promoter to get this condition removed in the license from Licensing Department.

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5. Shri Hardeep Kumar, learned counsel who appeared on behalf of applicant/promoter through video conferencing argued that applicants are in full compliance of law. They have been granted license for development of colony by the Department. For no fault of theirs, approval of State Level Committee is getting delayed. Further, State Enterprises Policy mandates that all clearance must be issued within prescribed time frame. On account of delay being caused in clearance by the State Level Committee, licensee/promoters are suffering financial loss. He prayed for grant of conditional registration because District Level Committee has already ascended its approval.

6. The Authority express its inability to grant conditional registration. Conditions which could affect very existence of the licensee itself cannot be incorporated in the registration certificate. If for whatever reason approval is not granted by State Level Committee, it would jeopardize interest of allottees. Authority however, agrees with Shri Hardeep Kumar, Ld. Counsel, that a clearance from State Level Committee may be got expedited. Authority accordingly decides to ask Ld. Secretary, State Level Committee to convene a meeting of Committee at the earliest and place this item before the Committee for an early decision.”

2. In furtherance of the aforesaid orders a letter was written to The Chief Coordinator Planner (NCR), Department of Town and Country Planning to convene a meeting of the State Level Committee. However, no response has been received from Chief Coordinator Planner (NCR).

3. Today, Ld. Chief Town Planner informed that Civil Writ Petition No. 12018-2022 has been filed before Hon’ble Punjab and Haryana High Court for issuing writ of certiorari’ quashing and setting aside the impugned order dated 03.011.2021, license No. 50 of 2022 dated 25.04.2022 issued by Respondent No. 3; and all other ancillary permissions granted to respondent no. 7 for the purpose of establishing a Residential Plotted Colony under Deen Dyal Jan Awas Yojna Scheme, 2016 in village Sarai Khawaja, Sector-43, Faridabad. Relevant part the order of Hon’ble High Court is reproduced below:



“Though an issue might arise with regard to the petitioners' *locus* to file this petition in the present form instead of a PIL, notice of motion is issued, looking at the gravity of the situation, as has been presented before us.

Mr. Deepak Bhardwaj, Addl. A.G., Haryana, accepts notice at the asking of the court on behalf of respondents no.1, 2, 3 and 5, with Mr. Ankur Mittal, Advocate, accepting notice on behalf of respondent no.6-RERA.

The remaining respondents be served by way of normal process as also *dasti*.

Respondents no.2 and 3 are directed to ensure that detailed affidavits are filed in reply to the petition, specifically looking at the issues in question, failing which the respondents no.2 and 3 shall remain personally present in court on the next date of hearing itself.

Adjourned to 07.07.2022.

A copy of the petition be supplied to them today itself by learned counsel for the petitioner.”

4. Today, Shri Hardeep Kumar, Learned Counsel for promoter stated that no response has yet been received from the State Level Committee. He further stated that he has no information regarding the CWP No.12018-2022 filed in Hon'ble High Court.

5. Adjourned to 22.08.2022. awaiting decision of State Level Committee and decision of Hon'ble High Court.



True copy

Executive Director,  
HRERA, Panchkula

*Handwritten initials and date:*  
18/7/22

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

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LAC (Indu)

*Handwritten signature and date:*  
Rode  
19/7/22