



HARYANA REAL ESTATE REGULATORY AUTHORITY, PANCHKULA.

Mini Secretariat (2nd and 3rd Floor), Sector-1, Panchkula.

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Extract of the resolution passed by the Haryana Real Estate Regulatory Authority, Panchkula in its meeting held on 06.09.2022.

Item No. 183.24

(xviii) Promoter : The Opal Developers and Construction Pvt. Ltd.

Project : "The Green City" - Affordable Residential Plotted Colony under DDJAY on land measuring 13.20 acres situated in revenue estate of village Hansi, Sector-2, Hansi.

Temp ID: RERA-PKL-1101-2022

1. Authority vide orders dated 22.08.2022 had observed that:-

"2. The license has been granted in favour of six individual land owners who have executed a collaboration agreement in favour of applicant/promoters M/s Opal Developers and Construction Pvt. Ltd. All powers to develop the colony have been conferred upon the promoter. One of the clauses of said agreement reads as under:-

"That it has been agreed by and between the parties that after the plans for development of the project are approved by the competent authority, the actual Saleable area of plots along with the common rights shall be determined and allocated between the landowner No. 1 of the First Party and Second Party. However, as per estimation of parties, the total saleable area of the project will be approximately 42,342 Sq. Yds. It is agreed upon that the selling rights of 18,300 Sq. Yds. (or 43.22%) will always solely remain with the landowner No. 1 of the First Party. The selling rights of the remaining saleable area approximately 24,042 Sq. Yds. (or 56.78%) will remain with the Second Party/Builder."



3. On the basis of above clause of Collaboration Agreement and the layout plan approved by Town and Country Planning Department, total saleable area of the colony has been determined as 32675.465 Sq. Mtrs. As per provisions of above quoted agreement, saleable area has been divided between the promoters and the landowners in the ratio of 43% and 57% respectively.

4. Therefore, 57% developed area has come into share of six different landowners. As per provision of the agreement and as per policy of the Authority, registration can be granted only in respect of plots which will come to the share of the promoters. The plots which come to the share of the landowners have to be allotted by promoters to them after obtaining part completion certificate. Further, plots of the landowners cannot be put up for sale by the promoters.

5. Even though both parties have signed the revised layout plan showing apportionment of plots between promoter and land owners, Authority consider it appropriate that a joint affidavit should be submitted by landowners and promoters showing therein precise numbers of the plots which will fall to the share of the promoter on one hand and landowners on the other.

6. Authority in principle decides to register the project, however the final approval will be granted after receipt of above information.”

2. In compliance of the orders of Authority, applicant-promoter vide their letter dated 2.2.2022 has submitted a layout plan accompanied with affidavit showing therein the combined share of plots which will be allotted to the landowner-promoters. It has not been specified as to which plots will come into the share of each individual landowner. Showing a combined allocation in favour of all landowners could result into dispute in future which has the potential of stalling progress of the project.



3. Applicant-promoter should specify plot numbers which will come into shares of each landowner separately and submit to the Authority alongwith an affidavit signed by said landowner accepting such allotment.



all ready
12/9/22
LA (Garima)

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.