



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 28.11.2022.

Item No. 191.14

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

(i) **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

(ii) **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

1. Authority in this case had passed detailed orders on 18.07.2022, wherein Authority observed as follows:-

"5. Important fact is that total project is comprised of 21.28 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.

6. 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.

7. 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.

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

2. In compliance thereof, applicant/ promoter submitted reply dated 31.10.2022 wherein promoters while referring to clause 4, 5, 7 and 9 of Joint Development Agreement have reiterated their stand as earlier stated in their joint reply that they will develop their respective project as developer and co-developer and shall be jointly responsible for construction, operation and

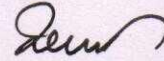


maintenance of common facilities such as underground water tank, sewerage treatment plant etc.

3. Taking note of the above, Authority while reiterating its earlier decision, is of the view that since layout plans and other plans have been approved for whole of the project, therefore, applicant/ promoter should submit joint application and applicant/promoters shall be jointly and severally liable for the development of entire project, obtaining completion certificate and for maintaining the colony for a period of five years till it is handed over to the local bodies.

4. Adjourned to 09.01.2023.

True copy



Executive Director,
HRERA, Panchkula



all records
2/12/22

LA (Granima)

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