

Hearing brief for project registration u/s 4

S.No.	Particulars	Details			
1.	Name of the project	Hill Square			
2.	Name of the promoter	M/s Supertech Limited.			
3.	Nature of the project	Commercial (Distinct Commercial Component of Residential Plotted Colony)			
4.	Location of the project	Sector- 02, Sohna, Gurugram			
5.	Legal capacity to act as a promoter	Collaborator			
6.	Name of license holder	M/s Dolphin Buildwell Pvt. Ltd and Others			
7.	Status of project	Ongoing			
8.	Whether registration applied for whole	Whole Project			
9.	Phase no. (if applicable)	N/A			
10.	Online application ID	RERA-GRG-PROJ-1172-2023			
11.	License no.	124 of 2014 dated 23.08.2014	valid upto 22.08.2024		
12.	Total licensed area	100.36875 acres	Area to be registered	2 acres	
13.	Fee details				
	Registration fee	14,163.98 * 1.75 * 20 = Rs 4,95,739/-.			
	Processing fee	14,163.98 * 10 = Rs 1,41,640/-			
	Late fee	N/A			
	Total	Rs. 6,37,379/-			
	DD Details				
	DD amount	Rs. 53,359/-			
	DD no. and date	519233 dated 04.10.2022			
	Name of the bank issuing	Karnataka Bank Limited			
	RTGS	HDFC/CR52022082390660020 dated 23.08.2022 amounting to Rs. 6,36,266/-.			
	Deficient amount	Rs 1113/-			
	14.	File Status	Date		
		File received on	06.02.2023		
First hearing on		27.02.2023			
Second hearing on		20.03.2023			
Third hearing on		17.04.2023			
15.	Case History:				
	The Promoter M/s Supertech Ltd. who is a Collaborator applied for the registration of real estate commercial colony (Distinct Commercial Component of Residential Plotted Colony) namely “Hill Square” located at Sector-02, Sohna, Gurugram under section 4 of the Real Estate (Regulations and Development) Act, 2016 vide central receipt no. 48758 dated 06.02.2023 and RPIN-585. The Temp I.D. of REP – I (Part A-H) is RERA -GRG-PROJ-1172-2022. The project area for registration is 2 acres				



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commercial part of that of the licensed area i.e., 100.36875 acres vide License no – 124 of 2014 dated 23.08.2014.

The application for registration was scrutinized and it was found that the area applied for registration is distinct commercial component admeasuring 2 acres of the residential plotted colony. The license no. 124 of 2014 was issued for the development of the residential plotted colony and the residential plotted colony is not registered with the Authority nor any completion certificate has been obtained for the same, which needs to be registered before getting registration of distinct commercial component.

Further, it is also found that all the directors of the company are insolvent and Mr. Hitesh Goel has been appointed as IRP for the promoter company M/s Supertech Limited. No documents have been submitted regarding the insolvency of the company.

The hearing was fixed for 27.02.2023 for further necessary directions.

On 27.02.2023, Sh. Sumeet, Engineer Executive and Ms. Asha Chartered Accountant briefed about the facts of the case. Sh. Rakesh Aggarwal (RA) is present on behalf of the promoter. Since the company is under NCLT proceedings and moratorium has been announced against the company, the applicant is directed to clarify the capacity under which the application for registration of new project has been made. The matter to come up on 20.03.2023.

On 20.03.2023, Sh. Sumeet, Engineering Officer and Ms. Asha Chartered Accountant briefed about the facts of the case. Sh. Rakesh Aggarwal (AR) is present on behalf of the promoter. This is the first case of its kind and has legal implications. In reference to the earlier proceedings before the Authority, the applicant has submitted an application clarifying the legal capacity under which the registration is being sought. It is decided to refer the matter to Advocate General for advice as the company M/s Supertech is under CIRP proceedings and IRP for the project has been appointed. The matter to come up on 17.04.2023.

The promoter has submitted a reply on 20.03.2023 in which they have submitted a clarification regarding the project for latest status of the company before NCLT. **"The promoter submitted that the license no 124 of 2014 was granted for development of project Hill Town got renewed upto 22.08.2024 on 24.09.2021. The project was launched in various phases and the current project Hill Square is one of the approved phase of the same. The project Hill Town has been admitted to insolvency by Hon'ble NCLT, Delhi vide order dated 25.03.2022 and an appeal has been filed against the order before Hon'ble NCLAT, New Delhi. The appellate tribunal stayed the constitution of COC on 12.04.2022. Further, NCLAT on 10.06.2022 modified the COC stay order to the extent that the IRP may constitute the COC only in relation to the project Eco village II of the corporate debtor and directed that all the other projects other than Eco village II shall be kept as an ongoing project.**

The construction of all other projects shall continue with overall supervision of IRP with the assistance of ex management and its employees. Further it was directed that no account of corporate debtor shall be operated without the counter signature of the IRP all expenses and payments in different projects shall be only with the approval of IRP. Therefore, requisite fees for RERA registration of the Hill square project was also deposited with the approval of insolvency resolution Professional Mr. Hitesh Goyal".



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It was decided to refer the matter to Advocate General for advice as the company M/s Supertech is under CIRP proceedings and IRP for the project has been appointed but the reference has not been sent to Advocate General as the promoter has not submitted the current status of appeal pending before NCLAT in continuation of the interim directions.

Asha
Asha

Chartered Accountant

O.L.

Sumeet
Engineering Officer

Day and Date of hearing

Monday and 17.04.2023

Proceeding recorded by

Ram Niwas

PROCEEDINGS OF THE DAY

Proceedings dated: 17.04.2023.

Ms. Asha Chartered Accountant briefed about the facts of the case.

Sh. Rakesh Aggarwal (AR) is present on behalf of the promoter. The Authority directed the promoter to submit the current status of appeal pending before NCLAT in continuation of the interim directions so that the matter is referred to the Advocate General, Haryana for advice as the company M/s Supertech Ltd. is under CIRP Proceedings and IRP for the project has been appointed. The matter to come up on 15.05.2023.

Sanjeev
(Sanjeev Kumar Arora)
Member, HARERA

Ashok
(Ashok Sangwan)
Member, HARERA

Vijay
(Vijay Kumar Goyal)
Member, HARERA

Arun
(Arun Kumar Gupta)
Member, HARERA

