



**HARYANA REAL ESTATE REGULATORY AUTHORITY, PANCHKULA.**

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**Subject: Extract of the resolution passed by the Haryana Real Estate Regulatory Authority, Panchkula in its meeting held on 26.08.2019.**

**Item No. 65.8**

(vii) **Promoter : Parsvnath Developers Ltd.**

**Project : "Parsvnath City Karnal" a Residential Plotted Colony on land measuring 81.136 Acres in Sector-35, Meerut Road, Karnal.**

1. Applicant/developer has submitted a written application dated 26.08.2019 in the Court inter-alia stating as follows:-

- i) The colony consists of two components of the lands measuring 50.564 acres and 30.576 acres. The license of the first portion was renewed upto 10.07.2016 and had been applied for renewal upto 10.07.2018. No further application for renewal of the license has been filed despite the expiry of earlier date. The license of the second portion of the land is valid upto 28.08.2019. For this also, an application for renewal has not been filed.
- ii) Reportedly development works are complete to the extent of 90%. Shri Bharat Bhushan representative of the company and his associates stated that the remaining development works are likely to cost about Rs. 5.00 crores, including electrical works.
- iii) Out of 793 plots including 159 EWS plots, 583 plots have been sold, out of which possession has offered to the 276 plots and conveyance deed has been executed of 166 plots.



- iv) A common layout out plan and Zoning demarcation plan in respect of both the licenses has been submitted to the department since 2015 but the same has not been approved. Shri Bharat Bhushan states that the revised demarcation has not been approved on account of a pending litigation in respect of one plot No. 273. Further, amount Rs. 70 crores of EDC/IDC is also overdue. The applicant/developer is proposing to file an application under the EDC/IDC Relief Policy for which an amount of Rs. 10.50 crores has to be deposited.
- v) The previous direction passed by this Authority for depositing Rs. 5 crores in the Escrow Account has not been complied because the substantial development works has been taken place.

2. The Authority has gone through the application filed by the applicant/developer and it observes as follows:-

- i) Admittedly Rs. 70 crores have to be paid by the applicant to the Town and Country Planning Department. From the information submitted, it appears that the amount which may be recovered by the developer from the colony is less than Rs. 70 crores which is payable to the department. Therefore, the applicant/developer is not interested in pursuing the matter with the Town and Country Planning Department resultantly putting the colony in limbo.
- ii) The Town and Country Planning Department has to recover huge of money from the promoter of the colony in respect of EDC/IDC and other charges. Apparently, for these reasons, they are not approving the revised demarcation plan. If the revised demarcation is approved, possession of plots to 307 remaining allottees could be offered. Apparently, the department is concerning itself with recovery of the EDC amount without bothering about the fate of the remaining 307 allottees.
- iii) The Town and Country Planning Department owns responsibility to see that the colony in respect of which license has been granted and third party rights have been created, that colony is either completed



by the licensee-promoter or in the event of default on their part, it should be taken over by them for completion at their own level. Surely, this is a case in which only 10% works remains to be carried out, which can be completed by the department without much problem. It is not understood why such in even simple matters the department of TCP Department are not discharging their responsibility of protecting the interest of the allottees.

3. It appears that this colony is a fit case for taking over and completing through any State Government agency. EDC/IDC and other dues which remains to be recoverable can be recovered by selling the unsold inventories. If any amount remains recoverable, the same can be recovered from the licensee/developers as arrears of the land revenue. In addition, the department has security by way of bank guarantee, which could also be invoking. This Authority would expect that the Town and Country Planning Department to adopt proactive approach in resolving such dispute which are lingering for the last more than 4-5 years. The department appears to be lacking requisite will and desire to resolve such problem. Needless to mention that not resolving such problems would adversely affect overall development of Real Estate Sectors in the State, because such State of affairs will defeat the confidence of the general public in the private colonizers.

4. This Authority is of the tentative view that this is a fit case for taking over by the State Government and completing at their own level. The dues to be recovered can be recovered by any other lawful mean.

5. The Authority will pass final orders in this regard after affording one more opportunity to the applicant/developer. Applicant/developer is now given a last opportunity to show their seriousness by taking following action within 15 days: -

- i) File an application for renewal of both licenses;
- ii) Deposit Rs. 5.00 crores in the Escrow account for completing the remaining development works;



iii) Apply for EDC/IDC relief under the new EDC Relief Policy by depositing Rs. 10.50 crores with the Town and Country Planning Department.

6. If the above three conditions are fulfilled by the applicant/developer, it will be expected from the department that the demarcation plan of whole of the colony is approved immediately so that the possession could be offered to 307 allottees who are awaiting possession for the last five years.

7. The Authority will take a final decision on the aforesaid directions in view of the aforesaid directions/observations after watching the behavior of the applicant/developer and after receiving the reply of the Town and Country Planning Department. Director, Town and Country Planning Department is requested to depute a senior officer/representative to make a statement on behalf of the State Government on the next date.

8. It is also directed to the Managing Director of the applicant company shall appear personally on the next date of hearing to explain action plan to handover the possession to the remaining allottees of the project in question.

9. Adjourned to 30.09.2019.

True copy



*dmr*  
Executive Director,  
HRERA, Panchkula

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

*all*  
*30/8/19*

LA (Saita)

(4/4)