



,1115,1117,1111,1112
of 2019, 78 of 2018

HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1113,1114,1115,1117,1111

1112 of 2019, 78 of 2018

HRERA, Panchkula

....COMPLAINANT(S)

VERSUS

Ansal Properties and Infrastructure.

....RESPONDENT(S)

CORAM: Rajan Gupta
Anil Kumar Panwar
Dilbag Singh Sihag

Chairman
Member
Member

Date of Hearing: 03.04.2019

Hearing: 3rd

Present: - Mudit Gupta, Ld. Counsel alongwith Jyoti Sidana
present on behalf of Respondent



ORDER (Rajan Gupta- Chairman)

1. In continuation of the orders dated 05.03.2019 passed by this Authority in the 2nd hearing of the matter, Chief Town Planner states that the entire colony is comprised of 346 acres of land. Status of various portions of the project is as follows: -

- i) In respect of area measuring 205.42 acres, application for issuance of part completion certificate was filed in the office of Director Town and Country Planning Department, Haryana on 25.04.2014;
- ii) For area measuring 108.57 acres, an application for grant of part completion certificate was filed on 28.12.2007.
- iii) Areas measuring 22.63 acres and 2.98 acres have already been registered (which is forming part of 108.57 acres for which part completion certificate has been applied) with the RERA Authority, Panchkula.
- iv) Application for grant of registration certificate for areas measuring 2.13 acres and 7.25 acres have been filed in the office of the Authority.

2. Leaving the area in respect of which registration certificate has already been obtained or has been applied for, the dispute remains with regard to the two areas measuring 205.427 acres and 108.58 acres. It is not understood how the application for grant of part completion certificate has not been finalized



by the Town and Country Planning Department despite lapse of 5 years and 12 years respectively.

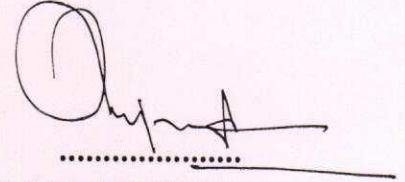
3. Learned counsel for the respondent/developer, Shri Mudit Gupta states that these colonies have been fully sold and developed. Hundreds of residents of these colonies have already obtained occupation certificates in respect of their houses constructed by them on their plots. They have not been granted part completion certificate only because dispute between developer and the department is subsisting regarding the overdue EDC. There is difference of views between the developer and the department about the quantum of EDC in respect of both the colonies.

4. The Authority in Para-2 of its earlier order dt. 05.03.2019 has observed that for having not received the part completion certificate, rights of the allottees may be jeopardized. Developer should comply with the law of land and get the part completion certificate in order to enable the allottees to execute deeds in respect of their plots.

5. This matter is pending for a long time. In order to dispose off the matter, the Authority hereby summons the below listed record from the office of Director, Town and Country Planning. Concerned District Town Planner (HQ) shall also be present personally to assist the Authority for examination of the following record: -



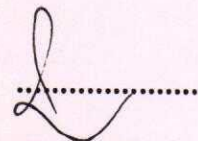
- i) Request received from the Promoter relating to the grant of part completion certificate;
 - ii) Reports sought from the field officers/CE(HUDA) with regard to the functionality of the internal services;
 - iii) The Linking of Internal with External services;
 - iv) The status of validity of licenses in the applied area, pending dues if any and reasons for not granting part completion.
5. Simultaneously, the respondent/developer is also directed to prepare a brief relating to the correspondence with the Town and Country Planning Department.
6. Adjourned to 26.04.2019.



RAJAN GUPTA
[CHAIRMAN]

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ANIL KUMAR PANWAR
[MEMBER]



DILBAG SINGH SIHAG
[MEMBER]