HARYANA REAL ESTATE REGULATORY AUTHORITY, PANCHKULA.
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Extract of the resolution passed by the Haryana Real Estate Regulatory Authority, Panchkula in its meeting held on 14.10.2026.

Item No. 335.03

Continuation of Agenda Item No. 335.03 (v) through circulation on 23.10.2026.

Project Name:	**"PALM CITY" a Residential Plotted Colony over an area measuring 50.412 acres situated in the revenue estate of Village Budda Khera, Sector-32, Karnal.**
Name of the promoter:	**SONI REALTORS PRIVATE LIMITED.**
Date of consideration:	**23.10.2026.**
Temp Id:	**2162 of 2026.**

1. This application is for registration of real estate project namely "PALM CITY" a Residential Plotted Colony over an area measuring 50.412 acres situated in the revenue estate of Village Budda Khera, Sector-32, Karnal bearing licence no. 52 of 2011 dated 10.06.2011 valid upto 09.06.2015, renewed upto 09.06.2028, granted to Soni Realtors Private Limited.

2. The application was examined and following observations were conveyed to the promoter on 08.10.2026:

   a. Payment Plan is not in order.
   b. Late Fee as per resolution dated 26.08.2019 amounting to Rs. 46,29,644/- be submitted.
   c. Since the Resolution plan was approved in favour of Srijan Infra LLP on 10-06-22, therefore, the application for registration should be submitted by Srijan Infra LLP.

3. Previously. the promoter had submitted an application for registration of project on 05.05.2026 which was examined and it was observed that following shortcomings still exists:-

a. Registration fee is deficit by Rs. 55,717/-, However, applicant should submit the details of the Potentiality of the proposed site as per the provisions of the urban Areas Act 1975 alongwith the Fee Calculation.
b. Licence is valid upto 09.06.2026-therefore renewal of licence would be mandatory for grant of registration.
c. Date of completion in REP-I (is 10-06-27) whereas in REP II the same is 01-05-31.
d. REP-I (Form C/X) is incomplete.
e. Payment Plan has not been submitted.
f. Late Fee as per resolution dated 26.08.2019 (as per item no. 65.9- be deposited.
g. Since the Resolution plan was approved in favour of Srijan Infra LLP on 10-06-22, therefore the application for registration should be submitted by Srijan Infra LLP.

Authority considered the matter through circulation on 04.06.2026. Since the deficiencies mentioned above were not complied with, therefore the application was rejected under Section 5 (1) (b) of the RERD Act, 2016 with the liberty to file a fresh application. The registration fee deposited by the promoter will be adjusted in the fresh application after deduction of 5% processing charges. Since the project was not registered therefore, the promoter was directed not to advertise, book and sell any plot in the project.

Availing the said liberty, the promoter re-applied on 28.09.2026, which was examined on file and following deficiencies were conveyed on 08.10.2026:-

a. Payment Plan is not in order.
b. Late Fee as per resolution dated 26.08.2019 amounting to Rs. 46,29,644/- be submitted.
c. Since the Resolution plan was approved in favour of Srijan Infra LLP on 10-06-22, therefore, the application for registration should be submitted by Srijan Infra LLP.

On the last date of hearing, i.e. 14.10.2026, Adv. Neeraj Puri, represented the promoter. The Authority undertook a comprehensive re-appraisal of the record and detected an error apparent on the face of the record in its previous order dated 04.06.2026. In the said order, the late fee had been erroneously calculated at ₹46,29,644/- by the Branch.

As had been held by the Hon'ble Supreme Court of India in ***Newtech Promoters and Developers Pvt. Ltd. v. State of U.P. & Ors. (2021)***, the mandate under Section 3 of the RERA Act is applicable retroactively. Relevant portion is hereinafter reproduced for ready reference:

> *"21. Chapter 2 of the Act, 2016 relates to registration of real estate projects. Section 3 of the Act, 2016 provides for prior registration of real estate project with the Real Estate Regulatory Authority. Section 3 (1) of the RERA Act, 2016 is of utmost importance as it makes it mandatory for the promoters to register its project within a*

Haryana Real Estate Regulatory Authority ★ Panchkula ★

215

period of three months from the date of commencement of this Act for which the completion certificate has not been issued. Section 3(1) of the Act, 2016 reads as under:—

"Prior registration of real estate project with Real Estate Regulatory Authority"—

(2) No promoter shall advertise, market, book, sell or offer for sale, or invite persons to purchase in any manner any plot, apartment or building, as the case may be, in any real estate project or part of it, in any planning area, without registering the real estate project with the Real Estate Regulatory Authority established under this Act:

Provided that projects that are ongoing on the date of commencement of this Act and for which the completion certificate has not been issued, the promoter shall make an application to the Authority for registration of the said project within a period of three months from the date of commencement of this Act:

Provided further that if the Authority thinks necessary, in the interest of allottees, for projects which are developed beyond the planning area but with the requisite permission of the local authority, it may, by order, direct the promoter of such project to register with the Authority, and the provisions of this Act or the rules and regulations made thereunder, shall apply to such projects from that stage of registration.

22. The above-mentioned provision requires that the projects which fulfill the above conditions are required to be registered within a period of three months from the date of commencement of this Act. The commencement date of the Real Estate (Regulation and Development) Act, 2016 is 01.05.2017, except Sections 2, 20 to 39, 41 to 58, 71 to 78 and 81 to 92, which came into force with effect from 01.05.2016. Accordingly, by 31.07.2017 the following projects covered in proviso 3 (1) of the Act have to register with the Regulatory Authority:

(i) The projects that are ongoing on the date of commencement of the Real Estate (Regulation and Development) Act, 2016; and

(ii) The projects for which completion certificate has not been issued."

As the promoter was admitted into CIRP by the Hon'ble NCLT only in February 2018, i.e. after RERA Act coming into force, promoter had already persisted in contumacious statutory default by not getting registered the aforementioned "ongoing project" with the Authorityfor over six months before the invocation of the insolvency regime.

Furthermore, as enunciated by the Hon'ble Apex Court in ***Saranga Anilkumar Aggarwal v. Bhavesh Dhirajlal Sheth & Ors. (2025)***, an insolvency moratorium cannot serve as a blanket shelter to evade regulatory compliances or statutory liabilities instituted under special welfare and consumer-protection enactments. The requirement of prior registration and the attendant payment of late registration fees under Section 3 of RERA is a foundational regulatory prerequisite to developing and marketing real estate, rather than a

Haryana Real Estate Regulatory Authority ★ Panchkula ★

315

mere commercial recovery proceeding or debt claim stayed by Section 14 of the IBC. Permitting the promoter or its resolution applicant to slice out the NCLT period to discount statutory late fees would run counter to the legislative mandate of the RERA Act, reward a pre-existing contumacious default, and distort the statutory scheme.

Because the default crystallized well prior to February 2018, no exclusion of the NCLT moratorium period is permissible, rendering the calculation of ₹46,29,644/- flawed and warranting suo motu rectification of the order dated 04.06.2026. Further the Authority observed that no such type of relaxation has ever been granted by this Authority.

4. After consideration, the Authority granted last opportunity to the promoter to submit the complete late fee, i.e., late fee as per resolution dated 26.08.2019, amounting to ₹ 92,59,288/-, by 22.10.2026 so that a decision by circulation could be taken within the stipulated time failing which the said application will be rejected as per the provisions of law.

Calculation of fee:-

Residential Component 48.473 x 4047 x 1 x 5	₹9,80,851/-
Commercial Component 1.939 x 4047 x 1.5 x 15	₹1,76,,560/-
TOTAL(A+B)	₹11,57,411/-
Late fee as per resolution dated 26.08.2019	50% of registration fee for every 6 months:-
Duration of late fee:-	28.10-2018- 05.05.2026(i.e. 16 half years)
Total late fee:-	5,78,705.5 x 16 = ₹92,59,288/-

5. Now, vide reply dated 22.10.2026, the promoter has removed the remaining observation by submitting late fee amounting to ₹92,59,288/- vide reference no. RERA-PKLP1792650170 dated 22.10.2026 amounting to ₹46,29,644/- and reference no. RERA-PKLP1791974165 dated 14.10.2026 amounting to ₹46,29,644/-. After consideration, the Authority finds the project fit for registration subject to the following special conditions:-

i. In compliance of Section 4(2)(l)(d) of The Haryana Real Estate (Regulation and Development) Act, 2016 following three bank accounts has been intimated:

Head of Bank Account	**Account No.**
100% Master Collection Account	10306025447
70% Separate RERA Account	10306025606
30% Project Account (Misc.)	10306025458
Bank Name & Address- IDFC First Bank Unit No. 5, Ground Floor, Enkay Centre, Nearby Post Office, Udyog Vihar, Gurugram, Haryana-122016 IFSC Code- IDFB0021014	

Haryana Real Estate Regulatory Authority * Panchkula *

415

None of the above mentioned three accounts shall subsequently be changed by the promoter without the prior permission of the Authority.

ii. The payment plan approved by the Authority, having quantum of all charges to be paid by the allottee till grant of Possession have to be incorporated in the BBA (Payment Plan is annexed as Annexure-I). No other charges, except those explicitly mentioned in this payment plan, shall be payable by the allottees.

iii. Promoter shall get approved the service plans/estimates within a period of six months from Town & Country Planning Department and shall submit a complete set of service plans and estimates to the Authority.

iv. Promoter shall submit a copy of NOC/Clearance as per provisions of notification dated 14.09.2006 issued by MOEF, Govt. of India (if applicable) before execution of development works at site.

v. No advertisement/public notice be issued through any medium without affixing the QR code and RC number along with its validity as issued by the Authority. The QR code, RC number alongwith its validity be affixed on the top-right corner on all the documents forming part of public domain including agreement to sell/allotment letter, pamphlets, brochures or any other literature published by the promoter.

vi. In compliance of section 11(4)(b) of the Real Estate (Regulation and Development) Act,2016, the promoter shall obtain the completion certificate or the occupation certificate ,or both, as applicable, from the competent authority or other local laws for the time being in force and to make it available to the allottees individually or to the association of allottees as the case may be.

vii. Promoter shall be responsible for the maintenance and upkeep of services of the project up to a period of five years from the date of grant of completion certificate or till the taking over of the maintenance of the project by the association of allottees.

viii. That any change in the communication address shall be immediately intimated to the Authority otherwise all the correspondence shall be deemed to have been served on the address mentioned in Form REP-I.

ix. That the promoter shall not sell any part of the commercial site measuring 1.939 acres unless the building plans of the said site are approved and deficit fee paid, if any.

6. **Disposed of**. File be consigned to record room after issuance of registration certificate

This has been approved by the Authority through circulation on 23.10.2026.

Haryana Real Estate Regulatory Authority * PANCHKULA *
Despatch No. 3063
Date 4/11/26

True copy

Secretary (Acting),
HRERA, Panchkula

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

LA DHRUV

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515