



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 16.03.2020.

Item No. 91.12

(v) **Promoter :** Gopal Hitech Infra Developers Pvt. Ltd.

Project : "Maruti Kunj, Phase-1" Residential Plotted Colony to be developed over an area measuring 22.82 acres in sector-24, Dharuhera, Rewari.

AND

(vi) **Promoter :** Gopal Hitech Infra Developers Pvt. Ltd.

Project : "Maruti Kunj, Phase-2" - Affordable Residential Plotted Colony under DDJAY on land measuring 14.96 acres situated in sector-24, Dharuhera, Rewari.

AND

(vii) **Promoter :** Gopal Hitech Infra Developers Pvt. Ltd.

Project : "Maruti Kunj, Phase-3" - Affordable Residential Plotted Colony under DDJAY on land measuring 12.31 acres situated in sector-24, Dharuhera, Rewari.

Present : i. Sh. Ashok Gupta, Director of the company,
ii. Sh. Tanay Pareek, (Senior Manager) Legal M/s Unique Mantra Realty.

1. Today, Shri Ashok Gupta, Director of the applicant company with address BD-73, Pitampura, Delhi (Address as per his driving license) appeared before the Authority and submitted a purported board resolution for withdrawal of the application of registration with project ID Nos. HRERA-PKL-783 of 2019, HRERA-PKL-799 of 2020 and HRERA-PKL-800 of 2020. Shri Gupta stated that the applications for registration of the project has been filed unauthorizedly.

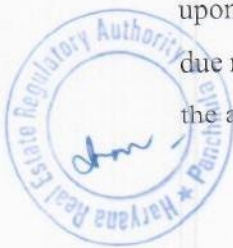


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2. The Authority observes that the applications dated 29.01.2020 has been signed by the authorized representative Sh. Yogesh Kumar, as mentioned in the Board resolution dated 13.07.2019. It also authorizes Shri Jyoti Sidana to sign and represent the company before this Authority for the registration of the project. Registration fee has been paid from the account of the company. Therefore, there considerable contradictions appear in the statement made by Shri Ashok Gupta. According to his statement no authority whatsoever was given to any person to get the project registered, but at the same time fee has been drawn from the company's account. The Authority is unable to understand as to why a person will unauthorizedly file the application for registration of the project. No advantage accrue to any person for filing an application for registration without proper authority. The representative Sh. Gupta also states that they are investigating the matter and would be taking legal recourse against the alleged person who unauthorizedly filed the application.

3. A copy of the representation given by Shri Ashok Gupta alongwith a copy of this order be sent to the representative who had filed the application. On the next date, the representative as well as the person who signed the application for registration of the project should be present together personally to clarify the confusion.

4. Shri Tanay Pareek , Advocate who came from Jaipur, made an interjection during the proceedings stating that their company M/s Unique Mantra Realty had executed an agreement with the applicant company M/s Gopal Hitech Infra Developers Pvt. Ltd. in the year 2014 vide which an advance of Rs. 2.25 crores was paid to the applicant company as refundable security deposit. According to Shri Pareek, the applicant company did not honour the said agreement. Shri Tanay Pareek had earlier sent a representation which was duly taken note in the proceedings of the meeting dated 16.12.2019. According to Shri Pareek, request of withdrawal of the application filed by Shri Ashok Gupta may be an attempt to preempt the action that might be taken consequent upon interjection of M/s Unique Mantra Realty Pvt. Ltd. The Authority took due note of the situation and expect that the applicant will submit a reply against the assertions made by Shri Pareek.



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5. The Authority further observes that there is no information available in regard to whether an advertisement has been issued for booking of plots/apartments of this colony or not. Learned Chief Town Planner shall get this information from District Town Planner, Rewari as well as from the Town and Country Planning Department, Haryana. Further, the applicant company is prohibited from carrying out any booking of the plot/apartment in the entire colony measuring 50.106 acres till all the matters are clarified and the project is registered.

6. All the parties be informed to be present before the Authority on the next date of hearing i.e. on 15.06.2020.

7. After completion of the hearing on this matter when Shri Ashok Gupta and Shri Tanay Pareek had left the Court, Shri Ashok Gupta, Director of the company again appeared along with his counsel Shri Venkat Rao and requested for mention of this case. Incidentally, Shri Jyoti Sidana happened to be present in the court at that time, who was also heard for the reason that his name figures in the board resolution dated 13.07.2020 authorizing him to pursue the matter of registration of the project on behalf of the company.

8. Learned counsel Shri Rao further pressed the request made by Shri Ashok Gupta for allowing withdrawal of the application filed with the Authority for registration of the project. He stated that a fraud is being played upon their company for which they need to pursue their legal remedies. He also requested for providing them a complete copy of the application under the RTI Act. Shri Rao, however, showed a copy of some documents already obtained by him from the Authority but without proper authentication as being a true copy of the documents available with the Authority.

9. After consideration of the matter, the Authority decides that since the application for registration of the project is still under consideration, therefore, a copy under RTI cannot be supplied to an unauthorized person at this stage. However, when a final decision is taken regarding the locus of Sh. Gupta and Shri Venkat Rao, the office will provide the authenticated copy of the documents to them. This is for the reason that, a copy of the documents available with the Authority can only be given to a person who had signed the application



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because some of the information submitted to the Authority may be of confidential nature, therefore, such information cannot be provided to any other person before taking final decision on the locus of the parties.

As already decided by the Authority in the presence of other parties the case will be disposed of on the next date of hearing on 15.06.2020 when all the parties are present.

10. Adjourned to 15.06.2020.

True copy


Executive Director,
HRERA, Panchkula



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

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