

NON- COMPLIANCE OF CONDITIONS OF REGISTRATION CERTIFICATE HEARING BRIEF

S. No.	Particular	Details		
1.	Registration certificate no.	GGM/764/496/2023/108		
2.	Date of Registration	04.12.2023		
3.	Date of expiry of validity of registration	23.03.2028		
4.	Name of promoter	M/s Tathastu Realty Pvt. Ltd.		
5.	Name of project	Tathastu 35		
6.	Area of project	9.90625 acres		
7.	Nature of project	Affordable Group Housing		
8.	Location of project	Sector- 35, Sohna, Gurugram		
9.	Suo-motu complaint no.	RERA-GRG-4374-2024		
10.	Status of compliance done by the promoter			
	Conditions	Compliance due date	Date of approval obtained on	Whether compliance done within time frame
	The promoter shall submit approved fire scheme within four months of date of grant of registration	04.04.2024	08.02.2024	Within time
	The promoter shall submit approved service plan and estimate approval within six months from the date of grant of registration.	04.06.2024	10.10.2025	Delay of 493 days
11.	Details of refundable security submitted by the promoter			
	Name of the bank	No. And date of refundable security	Amount	Submitted for
	ICICI Bank	503904 dated 01.11.2023 (Refunded)	25 lakhs	Approved fire scheme
	ICICI Bank	503905 dated 01.11.2023	25 lakhs	Approved service plans and estimates

12.	File status	Date
	First show cause notice sent on	02.09.2024
	First hearing on	12.09.2024 (adjourned)
	Second hearing on	10.10.2024 (adjourned)
	Third hearing on	06.03.2025
	Fourth hearing on	07.04.2025
	Fifth hearing on	06.01.2026
13.	Case history 1. An application for registration of the above real estate project under section 4 of the Real Estate (Regulation and Development) Act, 2016 was submitted to the Authority by M/s Tathastu Realty Pvt. Ltd. and after due consideration, the said real estate project was conditionally registered with the Haryana Real Estate Regulatory Authority Gurugram. Since the promoter failed to comply with the conditions mentioned in the registration certificate within the prescribed time, the Authority issued a show- cause notice dated 02.09.2024 with an opportunity of hearing on 12.09.2024. On 12.09.2024, the matter got adjourned to 10.10.2024. On 10.10.2024, the matter was further adjourned to 06.03.2025. 2. It is noted that the security amount submitted by the promoter in lieu of timely submission of approved fire scheme in the Authority has already been refunded to the promoter. 3. It is further noted that the promoter is yet to submit the approval of service plans and estimates in the Authority. 4. The promoter submitted a reply dated 10.09.2024 with respect to the show cause notice dated 02.09.2024 wherein it is stated that they are in the process to get road levels, sewer systems and water supply lines communicated from the DTCP Haryana to enable to align the service plans and estimates with the current status of vital components. They are following the same process, as in their other projects "Tathastu I" and "Tathastu II". The promoter requests 6 months' extension to submit the approved service plans and estimates to the Authority. 5. In its proceeding dated 06.03.2025, Sh. Ashwin Kumar (AR) appeared on behalf of the promoter. Proceedings dated 06.03.2025 are re produced below: <i>Ms. Neeraj Gautam (Associate Architectural Executive) briefed the facts of the case. Sh. Ashwin Kumar (AR) appeared on behalf of the promoter.</i> <i>The promoter submitted a reply dated 10.09.2024 with respect to the show cause notice dated 02.09.2024 wherein it is stated that they are in the process to get road levels, sewer systems and water supply lines communicated from the</i>	

DTCP Haryana to enable to align the service plans and estimates with the current status of vital components. They are following the same process, as in their other projects "Tathastu I" and "Tathastu II". The AR of the promoter requests 6 months' extension to submit the approved service plans and estimates to the Authority.

It is not disputed that the promoter was granted conditional registration at its own accord and depositing of security amount of Rs. 25 lakhs each as a guarantee for submission of the requisite clearances within the time specified in the conditional registration. It was clearly mentioned in the registration certificate that this security amount shall be forfeited in favour of authority in case the conditions are not fulfilled by the promoter within the stipulated time period.

The security amount deposited by the promoter on account of timely submission of approved fire scheme already stands refunded on 28.08.2024.

Since, the approval of service plans and estimates is not submitted in the Authority, the security amount of Rs. 25 lacs deposited on account of timely submission of the same may be forfeited.

The promoter is directed to submit the approval of service plans and estimates in the Authority within one month failing which legal consequences shall follow. Meanwhile, the promoter may be restrained from creating further 3rd party rights in the project till the approval of service plans and estimates is obtained.

The matter may be fixed before the Authority 07.04.2025.

6. In the reply dated 26.03.2025, the promoter stated that they are continuously working on the approval of the service estimates and have submitted a letter dated 24.03.2025 to the Chief Administrator, HSVP, Panchkula for providing status of services pertaining to road levels, sewer systems and water supply lines and requests the Authority to allow six months' time to get the approval.
7. On 07.04.2025, no proceedings were recorded and the matter got fixed for next date of hearing on 06.01.2026.
8. Meanwhile, the promoter has submitted the approval of service plans and estimates obtained vide memo dated 10.10.2025 after a delay of 493 days from the stipulated time period mentioned in the conditions of the registration certificate.
9. The promoter was directed to submit the date wise status of sale/ booking of units in the project in the form of affidavit through director of the promoter company before 06.01.2026 vide notice dated 31.12.2025.
10. Accordingly, the promoter has submitted following documents vide Dak ID dated 05.01.2025:

- | | |
|-------|--|
| (i) | An undertaking stating the company has not created any third-party rights from 06.03.2025 till 10.10.2025. |
| (ii) | Date wise list of commercial units allotted till 06.03.2025. |
| (iii) | Approval of service plans and estimates dated 10.10.2025 |



(Neeraj Gautam)

Associate Architectural Executive

Day and date of hearing

Monday and 06.01.2026

Ms. Neeraj Gautam (Associate Architectural Executive) briefed the facts of the case.

Sh. Neeraj K Mishra (Executive Director) and Sh. Ashwani (AR) are present on behalf of the promoter and state that the delay in approval of service plans and estimates occurred on account of non-availability of road levels, sewer systems and water supply lines from the DTCP Haryana so as to enable to align the service plans with the current status of vital components. The AR further states that they are committed to deliver the project to the allottees without any delay and request the Authority to allow them to create further third-party rights in the project since the approval of service plans & estimates has now been obtained by the promoter and a copy of the same has been submitted to the Authority vide Dak ID dated 10.10.2025.

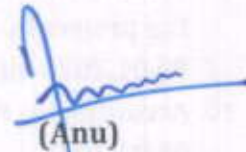
The promoter was directed to submit the date wise status of sale/ booking of units in the project in the form of affidavit through director of the promoter company before 06.01.2026 vide notice dated 31.12.2025.

It is noted that the promoter has still not submitted the date wise status of sale/ booking in the project for the residential units. Further, the affidavit submitted regarding non creation of any third-party rights from 06.03.2025 till 10.10.2025 needs to be notarized.

Keeping in view the fact that the project is an Affordable Group Housing and the approval of service plans & estimates has been obtained after a delay of 493 days, the concerned executive is directed to visit the site of the project to check the status of development and assess the Quarterly Progress Reports and Annual Audited Reports submitted by the promoter.

The promoter is again directed to submit the date wise status of sale/ booking in the project (Residential as well as the commercial units) in the form of affidavit through Director of the promoter company before the next date of hearing.

The matter to come up on 12.01.2026.



(Anu)

Secretary, HARERA