



BEFORE THE HARYANA REAL ESTATE REGULATORY AUTHORITY, GURUGRAM

Registration No.	GGM/764/496/2023/108 dated 04.12.2023
Name of promoter	M/s Tathastu Realty Pvt. Ltd.
Name of project	Tathastu 35
Location of project	Sector- 35, Sohna, Gurugram
Suo motu complaint no.	RERA-GRG-4374-2024
Date of order	16.01.2026

ORDER

सत्यमेव जयते

1. Whereas 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 with the following details:

S. No.	Particulars	Details
1.	Registration 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
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2. Whereas on the request of the promoter, the Authority had decided to issue the registration certificate subject to the following conditions:

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

3. The promoter had deposited the following security amount as a token of his assurance to comply with the above conditions within the stipulated time period:

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
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4. 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.
5. The promoter submitted a reply dated 10.09.2024 with respect to the show cause notice dated 02.09.2024 wherein it was 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 requested 6 months' extension to submit the approved service plans and estimates to the Authority.
6. 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.
7. 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:

Ms. Neeraj Gautam (Associate Architectural Executive) briefed the facts of the case. Sh. Ashwin Kumar (AR) appeared on behalf of the promoter.

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 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 maybe 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.

8. It 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.
9. Thereafter, the matter was fixed for next date of hearing on 06.01.2026 with the approval of the Authority.
10. 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.
11. 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.
12. 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

13. In its proceeding dated 06.03.2025, Sh. Neeraj K Mishra (Executive Director) and Sh. Ashwani (AR) appeared on behalf of the promoter. Proceedings dated 06.01.2025 are re produced below:

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.

14. The promoter submitted following documents vide Dak ID dated 07.01.2025:

- (i) A notarised affidavit through Director of the company stating that the company has not created nay third- party rights from 06.03.205 (date on which authority restrained from creating third- party right) till 10.10.2025 (date of submission of service plans & estimates).
- (ii) Date wise list of booking of residential units of the project.

15. On 12.01.2026, Sh. Neeraj K Mishra (Executive Director) and Sh. Ashwani (AR) appeared on behalf of the promoter and stated that the work on site is in full pace and the promoter is committed to hand over the units to the allottees without any delay. The AR further stated that the delay in obtaining the approval 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 an requested the Authority to revoke the ban on creation of further third party rights imposed on account of non- submission of the approved service plans & estimates since the promoter has now submitted the approval dated 10.10.2025.

16. The project is an affordable group housing project and the promoter had failed to obtain the approval of the service plans and estimates even after a lapse of 1 year. The Authority had restrained the promoter from creating any further third- party rights in the projects in the proceedings dated 06.03.2025 in the interest of the allottees. Thereafter, the promoter submitted the approval of service plans and estimates dated 10.10.2025 after a delay of 493 days.

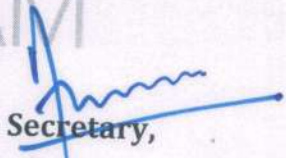
17. The promoter was directed to the submit the date wise status of sale/ booking in the project (Residential as well as the commercial units) in the form of affidavit through Director of the promoter company vide notice dated 31.12.2025.

18. The promoter has submitted the above details along with an affidavit through the Director stating that *"the company has not created any third-party rights from 06.03.2025 (date from which the authority restrained us from creating any third party*



right) to till 10.10.2025 (date of submission of Service Plans & estimates with authority)".

19. It is not disputed that the promoter was granted a 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.
20. Since the approval of service plans and estimates has now been submitted by the promoter, the order dated 06.03.2025 wherein the promoter was restrained from creating any third-party rights in the project in the interest of the allottees is hereby revoked.
21. However, the approval of service plans and estimates has been obtained by the promoter with a delay of 493 days and 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 of Rs. 25 lakhs deposited by the promoter on account of timely submission of the approved service plans and estimates is hereby forfeited.
22. The security amount submitted by the promoter in lieu of timely submission of approved fire scheme in the Authority already stands refunded to the promoter.
23. Since the compliance has now been made, although with a delay, the case is disposed of.


Secretary,

**For and on behalf of: Haryana Real Estate
Regulatory Authority, Gurugram**

Haryana Real Estate Regulatory Authority, Gurugram

