

**Hearing brief for non-registration of Project u/s 3
 Case no. RERA-GRG-909-2023**

Sr. No.	Particular	Details
1.	Nature of complaint	Show cause notice for non-registration of ongoing project under proviso of section 3(1) of the RERA Act, 2016
2.	Name of the Promoter	M/s Vatika. Ltd.
3.	Name of the project	Vatika India Next City Centre
4.	Nature of the project	-
5.	Location of the project	Sector 83, Gurugram
6.	License No.	122 of 2008
7.	Area	10.718 acres
8.	Notice No. and Dated	RERA-GRG-909-2023 dated 23.02.2023
9.	The present case arises out of a show cause notice issued for non-registration of an ongoing project under the proviso to Section 3(1) of the Real Estate (Regulation and Development) Act, 2016 vide Notice No. RERA-GRG-909-2023 dated 23.02.2023. During the proceedings in Complaint No. 3576/2021 filed by Mr. Anil sood against the M/S Vatika Ltd. in respect of the Vatika India Next City Centre" located in Sector-83, Gurugram. It noticed that the promoter has not obtained completion/occupation/part completion/part occupation certificate for the above project in accordance with the terms and conditions of the licenses. As per proceeding dated 20.03.2023, The matter is adjourned to 05.04.2023. As per proceeding dated 05.04.2023, The matter is adjourned to 19.04.2023. As per proceeding dated 19.04.2023, The matter is adjourned to 10-08-2023 at 11:00 a.m. As per proceeding dated 10.08.2023, None appeared on behalf of the promoter. With reference to Suo Motu (Projects) no. RERA-GRG-909-2023, the promoter was directed to do the compliance of aforesaid show cause notice along with an opportunity of hearing. It has been noticed that there was no authorized person on behalf of the company to appear before the authority for personal hearing. Therefore, one final opportunity of hearing is given to the promoter to submit the detailed reply and appear before the authority for hearing on 31-08-2023 at 11:00 A.M. otherwise authority shall be bound to proceed Ex-parte.. As per proceeding dated 31.08.2023, Proxy Adv. Mayank Grover, Sh. Uma Shankar (Consultant-legal) and Sh. Jitender Kumar (Senior Manager) are appeared on behalf of the promoter. The legal consultant of the company has submitted an application for adjournment of hearing as the main counsel of the promoter is not available today due to matters listed before other court in Delhi. Also, the promoter has filed the reply on 28-08-2023 stating that license no. 122 of 2008 was issued by DTCP, Haryana for an area admeasuring 10.718 acres for the development of commercial colony. All the approvals bearing license no. 122 of 2008 was issued in the name of M/s Trishul Industries. On 30-06-2006, M/s Trishul Industries was converted into a M/s Trishul Prop Build Ltd and	



DTCP, Haryana has granted in principle approval for transfer of license in the name of M/s Trishul Prop Build Ltd on 01-04-2013. Thereafter, M/s Trishul Prop Build Ltd went into winding up and Hon'ble Punjab & Haryana High Court appointed official liquidator against the licensee company. Vide order dated 18-01-2019, Hon'ble Punjab & Haryana High Court had allowed for winding up of M/s Trishul Prop Build Ltd and the assets of M/s Trishul Prop Build Ltd was subjected to be transferred to Vatika Ltd in terms of the approved "Scheme for Transfer of Assets". On 27-12-2019, M/s Vatika Ltd has applied to DTCP for transfer of license in their name which has not been obtained till date. Also, a letter dated 22-07-2020 vide memo no. 3223 was issued by DTCP, Haryana to M/s Vatika Ltd to submit the revalidated bank guarantee which had expired on 24-08-2020 and after which no compliances have been done by the promoter. Therefore, the promoter is directed to obtain the COD permission from the competent authority and make an application for registration of the project in the authority and further the authority restrains the promoter from creating any third-party rights on the said project till further orders and to supply a detail of sold and unsold inventory of the whole project. Matter to come up on 20-09-2023 at 11:00 A.M.

As per proceeding dated 20.09.2023, Proxy Adv. Vikas and Sh. Jitender Kumar (Senior Manager) are appeared on behalf of the promoter. Proxy counsel has filed the MoA and Vakalatnama will be filed on next date of hearing. He stated that the main counsel Sh. Venket Rao is engaged at NCRDC, New Delhi today. Hence, they seek an adjournment. Request is allowed. Matter to come up on 04-10-2023 at 11:00 A.M.

As per proceeding dated 04.10.2023, Proxy Adv. Pankaj Chandola is appeared on behalf of the promoter. Proxy counsel for the promote has requested for adjournment of hearing as the mother of concerned official got expired. Matter to come up on 19-10-2023 at 10:00 A.M.

As per proceeding dated 19.10.2023, Sh. Umashankar (Consultant-legal), Sh. Jitendra Kumar (Sr. Manager) and Sh. Rahul Johari (Manager) appeared on behalf of the promoter. The counsel for the promoter requested for adjournment. Final adjournment is granted to the promoter and no further request shall be accepted. Matter to come up on 02-11-2023 at 10:00 A.M.

As per proceeding dated 02.11.2023, None appeared on behalf of the promoter. Matter to come up on 23-11-2023 at 10:00 A.M.

As per proceeding dated 23.11.2023, Pankaj Chandola (Advocate) appeared on behalf of the promoter. The counsel for the promoter requested for adjournment of hearing as the main counsel could not be able to attend the hearing due to personal urgency. Matter adjourned to 06-12-2023 at 02:00 P.M.

As per proceeding dated 06.12.2023, Pankaj Chandola (Advocate) appeared on behalf of the promoter and request for adjournment. The matter adjourns to 18-01-2024 at 10:00 A.M.

As per proceeding dated 31.01.2024, Venket Rao (Advocate) and Minoti Kumari

appeared on behalf of the promoter. Counsel for the promoter states that they have applied for renewal of license and proof of the same has been submitted in the authority on 16-01-2024 and further states that after renewal of license, they shall apply for registration of project. Matter to come up on 29-02-2024 at 10:00 A.M.

As per proceeding dated 29.02.2023, Pankaj Chandola (Advocate) and Mayank Grover appeared on behalf of the promoter and request for some time to submit the compliance report of the proceeding dated 31-01-2024. Request is allowed. Matter to come up on 20-03-2024 at 10:00 A.M.

As per proceeding dated 20.03.2024, Sh. Virender Dhar (Vice President), Sh. Jitendra Kumar (Senior Manager), Sh. Rahul Johari (Manager) and Simran Goel (Proxy Advocate) appeared on behalf of the promoter. The AR of the promoter states that they are pursuing for renewal of license with DTCP, Haryana. However, they have submitted the required BG for the same. Further he requests for three weeks' time to submit the renewal of license and thereafter 15 days' time more for applying for registration and further added that they have applied for part OC and proof of the same shall be filed along with the reply. Also, they had applied for registration of project in year 2017 in interim HARERA, Panchkula and the same was rejected because of non-renewal of license. Proof of application filed for registration of project shall be filed along with the reply before next date of hearing. Matter to come up on 10-04-2024 at 10:00 A.M.

As per proceeding dated 10.04.2024, Sh. Venket Rao (Advocate) and Ms. Minoti Kumari (Senior Manager) appeared on behalf of the promoter. The promoter was directed to submit the proof of change of developer permission regarding which the AR and counsel of the promoter states that they had applied for COD permission in DTCP, Haryana on 17-12-2019 and renewal of license no. 122 of 2008 is applied on 11-12-2023 which is likely to be renewed shortly. Therefore, they request for adjournment of two weeks. Matter to come up on 02-05-2024 at 10:00 A.M.

As per proceeding dated 02.05.2024, Advocate Simran Goel (Proxy counsel) on behalf of Sh. Venket Rao (Advocate) appeared on behalf of the promoter and request for short adjournment to submit the reply. Matter to come up on 15-05-2024 at 10:30 A.M.

As per proceeding dated 15.05.2024, Proxy Advocate Shubham Mann on behalf of Sh. Venket Rao (Advocate) appeared on behalf of the promoter. The counsel states that they had filed the reply today itself which needs to be examined by the authority. Matter to come up on 05-06-2024 at 10:30 A.M.

As per proceeding dated 05.06.2024, Proxy Advocate Shubham Mann on behalf of Sh. Venket Rao (Advocate) and Sh. Nitish Bansal (AR) appeared on behalf of the promoter and request for adjournment of hearing as there is a demise in the family of main counsel. Also, it was inadvertently mentioned in proceeding dated 15-05-2024 that they have filed the reply whereas no reply has been received in the authority. They are directed to file the reply on or before next date of hearing. Matter to come up on 19-06-2024 at 10:30 A.M.

As per proceeding dated 19.06.2024, proxy advocate shubham mann on behalf of sh.



venket rao (advocate) and sh. nitish bansal (ar) appeared on behalf of the promoter and request for adjournment of hearing as there is a demise in the family of main counsel. also, it was inadvertently mentioned in proceeding dated 15-05-2024 that they have filed the reply whereas no reply has been received in the authority. they are directed to file the reply on or before next date of hearing. matter to come up on 19-06-2024 at 10:30 a.m.

As per proceeding dated 30.06.2024, Counsel for promoters appeared and states that arguing counsel is not available today. Request for adjournment. Matter to come for further proceedings on 08.08.2024 at 11:00 P.M.

As per proceeding dated 08.08.2024, Counsel for promoters appeared and request for adjournment. Matter to come for further proceedings on 18.09.2024 at 11:00 A.M.

Suruchi Pandey

Suruchi Pandey
Chartered Accountant

on site visit

Ashish Kush
Planning Executive

Day and Date of hearing

Thursday and 30.10.2025

Proceeding of the day

Ms. Suruchi Pandey, Chartered Accountant briefed about the facts of the case.

Sh. Gunjan Kumar and Sh. Pankaj Chandola, Advocates present on behalf of respondent.

The present matter was initiated vide notice dated 20.02.2023 on the basis of proceedings in CR No.3576 of 2021 titled "Anil Sood Vs. Vatika Limited" in respect of 'Vatika India Next City Centre', Sector-83, Gurugram.

Sr. No.	Date of event	Notice	Reply	Proceeding
	23.02.2023	1 st Notice	-	-
	20.03.2023	-	-	Adjourned
	05.04.2023	-	-	Adjourned
	19.04.2023	-	-	Adjourned
	10.08.2023	-	-	Adjourned
	28.08.2023	-	Reply submitted that license no. 122 of 2008, originally issued to M/s Trishul Industries and later transferred to M/s Trishul Prop Build Ltd, is pending transfer to M/s Vatika Ltd after the former's winding up; DTCP, Haryana has	-

			sought revalidated bank guarantees.	
	31.08.2023	-	-	Adjourned
	20.09.2023	-	-	Adjourned
	04.10.2023	-	-	Adjourned
	19.10.2023	-	-	Adjourned
	02.11.2023	-	-	Adjourned
	23.11.2023	-	-	Adjourned
	06.12.2023	-	-	Adjourned
	17.01.2024	-	-	Adjourned
	31.01.2024	-	-	The promoter's counsel informed that the license renewal application was submitted on 16-01-2024 and the project will be registered after its renewal.
	29.02.2024	-	-	Adjourned
	20.03.2024	-	-	The promoter stated that they are pursuing license renewal with DTCP, Haryana, have submitted the required bank guarantee, and sought three weeks to submit the renewed license, fifteen more days to apply for registration, and will file proofs of part OC and the earlier 2017 registration application with their reply.
	10.04.2024	-	-	Adjourned
	02.05.2024	-	-	Adjourned
	15.05.2024	-	Reply	Adjourned
	05.06.2024	-	-	Adjourned
	19.06.2024	-	-	Adjourned
	30.07.2024	-	-	Adjourned
	08.08.2024	-	-	Adjourned
	18.09.2024	-	-	-

Today, Advocates on behalf of the respondent seek an adjournment in the matter as the arguing counsel is not available and further, no specific intimation was sent for today's hearing. On the other hand, Ms. Suruchi, CA on behalf of the Authority states that the date of hearing was uploaded, but no specific notice was sent.

A reply to the show cause notice was submitted by the respondent on 19.04.2023 & 28.08.2023. The essence of the reply is that license bearing No.122 of 2008 and other plans and approvals for the

project were granted in the name of M/s Trishul Industries, which was converted into a public limited company namely M/s Trishul Propbuild Limited. However, M/s Trishul Propbuild Limited went into voluntary winding up, which was allowed dissolution by the Hon'ble High Court of Punjab and Haryana, vide order dated 18.01.2019.

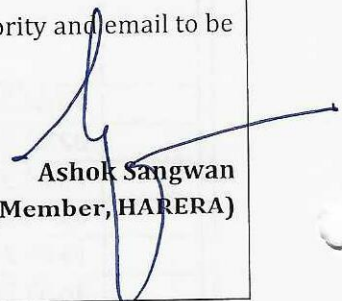
Thereafter, the assets of the said company were transferred to Vatika Limited. The respondent applied before the DTCP for transfer of license in its name on 27.12.2019 and the same is still in process.

It is noted that during the hearing dated 31.08.2023, the respondent was directed to obtain COD from the competent authority and was restrained from creating any third- party rights in the said project till further orders and supply details of sold and unsold inventory. Since then, no substantial progress has taken place on the matter except adjournments and reiteration of the same facts.

The matter is pending since the year 2023 without any fruitful resolution. To take the matter to its logical conclusion, it would be appropriate to take the following action: -

- The planning coordinator along with CA may conduct the site visit and report the status of the project including the number of plots/units occupied/constructed and development work on site within a period of ten days with advance notice to the respondent.
- A letter may be addressed to the DTCP regarding the averments made by the respondent in its reply dated 19.04.2023 with respect to application filed for transfer of license in the year 2019 and status of the matter as on date. It may be requested that a response in this regard may be sent within a period of two weeks so that the Authority could take a final view in the matter.

Matter to come up on 20.11.2025. Notice to be uploaded on website of the Authority and email to be sent to the respondents through registered email address.


Ashok Sangwan
(Member, HARERA)