



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 2364 of 2023

HRERA, Panchkula

...COMPLAINANT

VERSUS

M2M Buildtech Pvt Ltd.

....RESPONDENT

CORAM:

Parneet S Sachdev
Nadim Akhtar
Dr. Geeta Rathee Singh
Chander Shekhar

Chairman
Member
Member
Member

Date of Hearing: 13.11.2024

Hearing: 6th

Present: Adv. Shubhnit Hans for respondents via video conference.
Adv. Sudeep Gahlawat for complainants.

ORDER (Parneet S Sachdev-Chairman)

Haryana Real Estate Regulatory Authority, Panchkula had registered a real estate project of an Affordable Plotted Colony under DDJAY namely, "A-One Homes" being developed on land measuring 7.418 acres falling in the revenue estate of Village Kheri Sadh, Sector-27-A, Rohtak vide registration no. HRERA-PKL-ROH-334-2022 dated 13.09.2022.

2. Subsequently, a letter dated 25.08.2023 was received from Sh. Rajiv Hooda, stating breach and violations of license conditions and unlawful, illegal and

fraudulent acts by the respondents mentioning that about 150 court cases are pending against the promoter.

3. A show cause notice dated 16.10.2023 under Section 35 of RERA Act, 2016 was issued to the respondent and a copy of the same was also supplied to the complainant Sh. Rajiv Hooda.

4. Thereafter, the Authority vide its orders dated 10.01.2024 decided to club the complaint of another complainant Sh. Sanjay Hooda alongwith the present complaint since the matter in both complaints were identical.

5. On 07.02.2024, Authority directed the counsel of complainants to file a written reply to the averments made by them along with documentary evidence. Authority further directed the office to provide a copy of complaint to Sh. Rakesh Sharma and granted one last opportunity to file reply failing which the Authority will be constrained to revoke the said registration.

The office was further directed to send a copy of these orders to the Tehsildar, Rohtak to enquire as to how the sale of plots and execution of conveyance deeds by the respondent/promoter are being done without obtaining completion certificate and apprise the Authority about the total number of registries which have already been executed by them.

6. The respondents vide reply dated 04.03.2024 has informed as under:-

The respondents are working legally on project. Service plans of project have been approved by HUDA. All EDC/IDC payments have been made and therefore all plots are unfreezed. Moreover, their project is already registered with RERA. Complaint of Rajiv Hooda is false, concocted, baseless, vindictive, arbitrary and on fabricated grounds. Rajiv Hooda has received an amount of Rs 60,000/- and A one Homes have received Rs 3.29 Cr from bank accounts of respondent company. Sanjay Hooda falsely represented himself as partner of A one Homes. A one Homes through Sanjay Hooda had proposed that they would do construction and development work and get approvals from concerned authorities. A one Homes is a benami firm. Rs. 2.80 Cr of respondent company was lying as a deposit with Govt. Authorities and Sh. Sanjay Hooda and A One Homes got adjusted for getting license. A-one Homes was not given marketing rights to sell the project land of respondents.

Sh. Sanjay Hooda had taken advances in account of A one Homes for selling plots of M2M. They have cheated the public, customers, M2M Buildtech and the Authority. Respondents have applied for name change with the Authority as per law. A One Homes including Sh. Rajiv Hooda have committed theft of documents from company. Criminal complaints have also been made against Sanjay Hooda to Police and CM Haryana. Moreover, A one Homes has already filed civil suit in civil court Rohtak and the same is pending as of now. Axis Bank Account of Company is being misused. Sh. Sanjay Hooda had

made an entry of Rs 1,10,000/-to himself in pretext of making such payment to HRERA and further forged an entry of Rs 7.40 cr in the name of A-One Homes. Police complaint has also been made in this regard. Further there is no multiple selling of plots by M2M -complainant Sh. Rajiv Hooda and A one Homes are liable to pay damages to respondents and finally requested the Authority to dismiss complaint.

7. Sh. Rajiv Hooda on the other hand vide reply dated 06.03.2024 has informed that order of stay on sale of plots was passed by Authority in presence of two directors of M2M Buildtech Pvt. Ltd. However, Sh. Rakesh Kumar, Director of company has executed 5 sale deeds on the very next date of the orders and might have executed more later on. After collecting 14 Crores at time of grant license no 32 of 2014, they mislead the general public and faced more than 150 litigations. Therefore, he requested the Authority to intervene and cancel the sale deeds. He further requested to cease the bank account and stop the illegal laying of services as the promoter does not have approved service plans.

8. Further, letter to Tehsildar Rohtak was sent by the office on 12.03.2024 on which reply is still awaited.

9. On 20.03.2024, the Authority was of the view that there should be an absolute ban on the sale of the plots and creation of third party rights in the project. Tehsildar, Rohtak was also directed not to execute any registries/conveyance deeds with regard to M2M Buildtech Pvt. Ltd untill further orders of this Authority. Respondents were also directed to submit a copy of approved service plans/estimates to the Authority and comply with the other conditions imposed while granting registration of the project. Complainants were directed to quote particular sections of the statute which have been violated by the respondents and what remedy do they seek from this Authority. The Authority further directed the complainants and all the directors of the company to be personally present on the next date of hearing to assist the Authority in finding a solution.

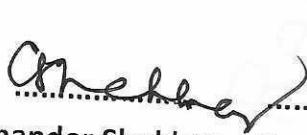
10. On 01.05.2024, the Authority directed the respondents to collect the list of breaches of provisions as mentioned by the complainants vide letter dated 01.05.2024, from the projects section of Authority for their further comments on each and every issue. Further, the certified copy of order dated 20.03.2024 alongwith the reply filed by the respondents was supplied to the respondents during the course of hearing. Last opportunity was granted to the respondent and complainants to file their comments so that final decision could be taken.
11. On the last date of hearing, i.e., 07.08.2024, Adv. Shubhnit Hans appeared on behalf of respondents and sought some time to file reply to the contentions of complainants. On the other hand, Adv Sudeep Gahlawat for complainants informed that License granted to the respondents has been suspended by DTCP, Haryana on 22.03.2024. Authority directs both the counsels to file written reply to the averments before the next date of hearing.
12. Vide Reply dated 03.09.2024, M2M Buildtech Pvt Ltd. has replied on all the averments made by the complainant and has denied all the allegations put forth by them. Promoter also prayed that imposition of any penalty or punishment under Section- 59 is neither justified nor warranted. The Promoter has requested to dispose the matter and submitted the following in compliance of order dated 01.05.2024:
- i. Complaint No. 146 of 2024 has already been filed in complaint section therefore, procedurally redundant and unnecessary for complainant for initiation of suo-motu complaint.
 - ii. Complainant's is abusing the process of law to satisfy his personal vendetta.
 - iii. It has always been the endeavour of the Respondent to comply with the provisions of RERA Act, 2016 and there has been no violation of the provisions of the RERA Act, 2016 that would warrant imposition of any punishment or penalty.

iv. Registered address and correspondence addresses (are not wrong as avered by the complainant) are same as provided to the Authority.

vii. The Promoter has duly uploaded project details along with Registration Certificate on web portal of the Authority.

13. Today, the Authority directs that the Respondent Promoter should supply copy of the reply dated 03.09.2024 to the Complainants. The Authority also directs the complainants to submit comments/reply in the Authority atleast one week before the next date of hearing.

14. Adjourned to 02.04.2025



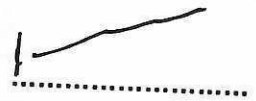
Chander Shekhar
Member



Dr. Geeta Rathee Singh
Member



Nadim Akhtar
Member



Parneet S Sachdev
Chairman