



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 70 OF 2024

Parikrama Residents Welfare Association

....COMPLAINANT

VERSUS

1. Suncity Projects Private Limited

2. Santur Developers Private Limited

....RESPONDENTS

CORAM: Parneet S Sachdev
Geeta Rathee Singh
Chander Shekhar

Chairman
Member
Member

Date of Hearing: 22.05.2025

Hearing: 11th

Present: - Mr. Vivek Sethi, counsel for the complainant through VC.
Mr. Kamal Dahiya, counsel for the respondents through VC.

ORDER (PARNEET S SACHDEV- CHAIRMAN)

1. Today, Id. Counsel for the complainant appeared before the Authority and submitted that the respondent has filed an application challenging the

maintainability of the present complaint. In response thereto, the complainant has filed a detailed reply dated 06.12.2024, opposing the said application.

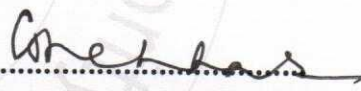
2. It has been further contended by the Id. counsel for the complainant that the present matter squarely falls within the ambit of the Real Estate (Regulation and Development) Act, 2016. He stated that the HRERA Rules were notified on 28.07.2017 and that the Completion Certificate in respect of the present project in question was issued on 19.01.2018, i.e., subsequent to the notification of the Rules, and that the Occupation Certificate for a portion of the project (half of the towers) was issued on 29.08.2017. Consequently, the respondent is under a statutory obligation to get the project registered as an "Ongoing Project" under the said Act.
3. The Id. counsel for the respondent submitted that the relief sought by the complainant pertains to the modification of the Deed of Declaration, which is a registered document. It was further contended that such relief falls within the domain of the competent authority established under the Haryana Apartment Ownership Act, 1983. Accordingly, it was argued that this Authority lacks the jurisdiction to adjudicate upon the present complaint.
4. With respect to the maintainability of the complaint, in light of the foregoing observations, the Authority is of the considered view that the present complaint is maintainable, as the project in question qualifies as an "ongoing project" under the provisions of the Real Estate (Regulation and Development) Act, 2016. Consequently, the preliminary objection raised by the respondent regarding the

lack of jurisdiction of this Authority is found to be devoid of merit. Accordingly, the application filed by the respondent on 25.09.2024 seeking dismissal of the complaint stands dismissed.

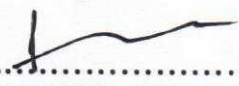
5. The counsel for respondent is provided a last opportunity to file his reply by 02.07.2024 with an advance copy supplied to the complainant. Complainant is at liberty to file rejoinder, if any, by 02.08.2025 with an advance copy supplied to respondents. Parties are further directed to file copies of the Occupation Certificates for the respective towers, the Completion Certificate for the entire project, along with the service estimates and service plans in the registry before 02.07.2025. The dates may be adhered to strictly.

In case, the requisite documents are not filed, the case will be decided on merits and no further opportunities will be provided.

6. Case is adjourned to 21.08.2025.


CHANDER SHEKHAR
[MEMBER]


DR. GEETA RATHEE SINGH
[MEMBER]


PARNEET S SACHDEV
[CHAIRMAN]