



PUNJAB REAL ESTATE REGULATORY AUTHORITY
1st Floor, Plot No. 3, Block B, Madhya Marg, Sector 18A, Chandigarh
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Memo No. RERA/Pb/Legal/2024/ 8825-8826
FORM D

Date: 06/09/2024

INTIMATION OF REVOCATION OF REGISTRATION OF PROJECT
" La-Canela"

From:

The Real Estate Regulatory Authority, Punjab
First Floor, Block-B, Plot No.-3, Sector-18A,
(Near Govt. Press UT), Madhya Marg,
Chandigarh – 160018.

To

1. M/s ABS Township Pvt. Ltd.
SCO No 156, Basement, Sector 37-C,
Chandigarh-160036 (Promoter)
2. M/s The Indian Co-operative House Building Society Ltd,
Madhya Marg Extension, Chandigarh Mullanpur Barrier,
Opposite Manohar Singh & Company, New Chandigarh
Distt. SAS Nagar (Mohali), Punjab-140901 (Co-Promoter)

Registration No: - PBRERA-SAS80-PR0886
Date of Registration: - 08.01.2024

You are hereby informed that the registration granted to your project is hereby revoked for the reasons set out in the order dated 06.09.2024 regarding notice of revocation of the registration for project namely "La-Canela" admeasuring 2675.59 Sq mtrs situated at Village Palheri, Sector-22, New Chandigarh District S.A.S. Nagar, Mohali - 140301 under Section 7(1) read with Section 34(f) and Section 37 of the Real Estate (Regulation and Development) Act, 2016.

Place: Chandigarh

Dated: 06.09.2024

O/c
Secretary,
Real Estate Regulatory Authority, Punjab

Encl: Order Dated 06.09.2024

**BEFORE SHRI MALWINDER SINGH JAGGI, IAS,
REAL ESTATE REGULATORY AUTHORITY, PUNJAB**

Order regarding notice of revocation of the registration for project namely "La-Canela" admeasuring 2675.59 Sq mtrs situated at Village Palheri, Sector-22, New Chandigarh District S.A.S. Nagar, Mohali - 140301 under Section 7(1) read with Section 34(f) and Section 37 of the Real Estate (Regulation and Development) Act, 2016.

Date of Decision	06.09.2024
Project Name	La-Canela
Project Area	2675.59 Sq Mtrs
Project Location	Village Palheri, Sector-22, New Chandigarh District S.A.S. Nagar, Mohali - 140301
Promoter Name	M/s ABS Township Pvt. Ltd.
Co- Promoter Name	M/s The Indian Co-operative House Building Society Ltd.
Project Category	Residential (Built-up)
RERA Registration Number	PBRERA-SAS80-PR0886

1. That the registration was granted for the real estate project "La-Canela" by the Authority on 08.01.2024 vide Memo No. RERA/2024/7-8 for total area measuring 2675.59 Sq Mtrs having validity of registration bearing No. PBRERA-SAS80-PR0886 up to 31.03.2025.
2. That the project "La-Canela" is a residential Built-up project having 48 units to be built on plot no. 208-219 and the area is 2675.59 sq. mtrs. The said project is part of main project namely "Suntec City" developed by M/s The Indian Co-Op. House Building Society Ltd. At the time of submission of application for registration of project "La-Canela", the License to develop Colony of the main project i.e. Suntec City was submitted and M/s The Indian Co-Op. House Building Society Ltd. was also made as co-promoter.
3. That during the pendency of CRWP No. 9767 of 2022 titled as Bahadar Singh and others Vs. State of Punjab and others in the Hon'ble High

Court of Punjab and Haryana, Greater Mohali Area Development Authority (GMADA) vide orders dated 10.07.2024 has cancelled the License to Develop Colony of the main project namely "Suntec City" measuring 108.58 acres. The License has been cancelled by GMADA on the following grounds: -

- (I) The promoter failed to fulfill the condition no. (iii) of the extension of validity of project which was issued vide letter dated 19.04.2023.
- (II) The promoter has not submitted the original letter of consents of the land owners to the competent authority.

4. That the Authority has observed that License to Develop Colony being a major approval/requirement of a project, and the RERA registration is granted on the basis of a valid License to Develop Colony along with other prescribed documents. In the present case, the License has been cancelled by GMADA vide its Order dated 10.07.2024. Accordingly, it was decided by the Authority to issue notice for revocation of registration of the project under Section 7 (1) (b) (c) & (d) of the Real Estate (Regulation and Development) Act, 2016 on the basis of the following grounds: -

- (I) Land Owners in the complaint and CRWP No. 9767 of 2022 have alleged that the promoter of main project 'Suntec City' has forged their consents for obtaining CLU and other approvals.
- (II) The Promoter M/s Indian Co-op House Building Society Ltd of main project "Suntec City" has failed to submit Joint Development Agreement /Collaboration Agreement /any other Agreement entered into between Promoter and Land Owners as per requirement of Rule 3 (1) (f) of



the Punjab State Real Estate (Regulation and Development) Rules, 2017.

- (III) Cancellation of License to Develop Colony by GMADA vide its Order dated 10.07.2024 for the land measuring 108.58 acres.

5. For the sake of convenience Section 7(1) of the Act is reproduced hereunder: -

"7. Revocation of registration: - 7. (1) The Authority may, on receipt of a complaint or suo motu in this behalf or on the recommendation of the competent authority, revoke the registration granted under section 5, after being satisfied that—

- (a) *the promoter makes default in doing anything required by or under this Act or the rules or the regulations made thereunder;*
- (b) *the promoter violates any of the terms or conditions of the approval given by the competent authority;*
- (c) *the promoter is involved in any kind of unfair practice or irregularities.*
- (d) *the promoter indulges in any fraudulent practices."*

6. That accordingly, vide this Authority's office Memo No. RERA/Pb/EG(T)2024/7622-23 dated 05.08.2024, the promoter and co-promoter were given an opportunity as per Section 7(2) of the Act of 2016 to show cause as to why the registration of the project "La-Canela" granted under Section 5 of the Act of 2016 should not be revoked on the basis of aforementioned grounds under Section 7 of the Act of 2016 and they were asked to submit their reply within a period of 30 days from the date of issuance of the said notice. It was specifically mentioned in the above said notice that if no reply is received within the stipulated period, further action to revoke the registration of the project shall be initiated by this Authority.

7. That in response to the said notice, the promoter has submitted only one letter vide diary No. 6545 dated 03.09.2024 for seeking copy of application alongwith other documents submitted at the time of

registration of project namely "La-Canela", stating that the same is not available in the promoter office and without which effective reply could not have been filed. No other reply/explanation has been submitted by the Promoter or the co-promoter.

8. That the Promoter and co-promoter have not submitted any reply/explanation to the notice dated 05.08.2024 till date to strengthen their case. The conduct of the promoter is not bona fide as the letter seeking copy of application alongwith other documents has been submitted at the last moment when 30 days were about to expire and it is apparent that it was merely to prolong the proceedings of the Authority.
9. The notice issued vide this Authority's office Memo No. RERA/Pb/EG(T)2024/7622-23 dated 05.08.2024 was, inter alia, based on the ground that the License to Develop Colony for the project "Suntec City" for land measuring 108.58 Acres (which includes the land measuring 2675.59 Sq Mtrs pertaining to real estate project "La-Canela") which is a basic requirement for continuation of the project, had been cancelled by GMADA on 10.07.2024. It is a matter of record that the License to Develop Colony for the main project comprising of 108.58 Acres (which includes the land of the project "La-Canela") stands cancelled by GMADA on 10.07.2024 and further no stay has been granted by the Competent Authority against the cancellation of License by GMADA on 10.07.2024.
10. That it is also a matter of record that the RERA registration number for the main project "Suntec City" was obtained by the promoter of the said project only on the basis of consent letters of land owners however the joint development agreement / collaboration agreement / development agreement for the land not owned by the promoter of the main project was not submitted, including the land qua which



complaint dated 30.05.2022 was submitted and CRWP No.9767 of 2022 has been filed before the Hon'ble Punjab and Haryana High Court. The requirement of submission of such agreement is mandatory in terms of Rule 3(1)(f) of the Punjab State Real Estate (Regulation and Development) Rules 2017. It would be pertinent to note that at the time of consideration of application for registration of the project "La-Canela", the promoter i.e. ABS Township Pvt. Ltd. vide letter dated 23.03.2023 submitted in this Authority's office vide diary no. 1637 dated 24.03.2023, in response to the clarification sought by the Authority w.r.t complaint dated 30.05.2022 filed by Bahadar Singh and others against promoter of the main project, had placed reliance upon Order dated 02.02.2023 passed by the Hon'ble Punjab & Haryana High Court vide which CRWP No. 9767 of 2022 titled Bahadar Singh and Ors v. State of Punjab and Others was dismissed. It is a matter of record that the said Order dated 02.02.2023 was set aside by the Hon'ble Supreme Court vide Order dated 03.05.2024 passed in Criminal Appeal No. 2380 of 2024 and the matter was remitted back to the Hon'ble High Court and in the course of de-novo proceedings before the Hon'ble High Court, GMADA has informed about cancellation of License to Develop Colony on 10.07.2024.

11. The real estate project "La-Canela" was also registered by this Authority on the basis of same License to Develop Colony issued by GMADA for total area of 108.58 Acres issued to M/s The Indian Co-op House Building, Society who is a co-promoter of the project "La-Canela" and the License to Develop Colony is a fundamental pre-requisite for the continuation of the project and the same stands cancelled by GMADA on 10.07.2024 on account of violations mentioned therein.
12. That as a sequel of above said facts and circumstances and keeping in view the seriousness of the present matter and for reasons mentioned

above, it is concluded that as (a) GMADA has cancelled the License to Develop Colony of the main project (Suntec City) measuring 108.58 acres which is a fundamental pre-requisite for the continuation of the project, (b) The Promoter M/s Indian Co-op House Building Society Ltd of main project "Suntec City" has failed to submit Joint Development Agreement /Collaboration Agreement /any other Agreement entered into between Promoter and Land Owners as per requirement of Rule 3 (1) (f) of the Punjab State Real Estate (Regulation and Development) Rules, 2017.(c) no satisfactory explanation has been given by the promoter in reply to the notice dated 05.08.2024 issued by this Authority, therefore, the registration number PBRERA-SAS80-PR0886 granted to the project i.e. "La-Canela" of M/s ABS Township Pvt. Ltd. is hereby revoked with immediate effect with the following directions to the Secretary of this Authority to place the matter before the Real Estate Regulatory Authority Punjab for proceeding further as per provisions of Section 8 of the Act, inform other Real Estate Regulatory Authorities in other states and union territories about the revocation and also to send a copy of this order to the following for necessary compliance as per provisions of Section 7(4) of the Act:

- i. The Chief Administrator, GMADA, PUDA Bhawan, Sector -62, S.A.S. Nagar in reference to their office Memo No. GMADA/STP/A-2/2024/2472 dated 11.07.2024.
- ii. The concerned Deputy Commissioner-cum-Collector to direct all the Registrars/Joint Sub Registrars/Sub Registrars under his jurisdiction not to execute and register any sale deed pertaining to the project under reference.
- iii. Axis Bank Limited, Phase -11 Mohali, Punjab 160062 is directed to freeze the Promoters (ABS Township Pvt Ltd) Escrow account No. 922020006236868 which has been opened as per provisions of 4(2)(I)(D) of the Real Estate (Regulation and Development) Act, 2016.

- iv. The IT Branch of this Authority to upload this order on the website of this Authority to make the general public aware about the revocation of the project, debar the promoter from assessing its website in relation to the above-mentioned project and specify his name in the list of defaulters and display his photograph on the Authority's website.
 - v. M/s ABS Township Pvt. Ltd., and M/s The Indian Co-operative House Building Society Ltd. with a direction not to advertise, market, book, sell or offer for sale, or invite persons to purchase in any manner any plot, apartment or building, in real estate project or part of it.
13. After due compliance the file, be consigned to the record room.


Malwinder Singh Jaggi, IAS
Real Estate Regulatory Authority
Punjab