



Rajasthan RERA

# Rajasthan Real Estate Regulatory Authority

2<sup>nd</sup> & 3<sup>rd</sup> Floor, RSIC Wing, Udyog Bhawan,

Tilak Marg, C-Scheme, Jaipur-302005

Phone No.: 0141-2851900 Website: <http://rera.rajasthan.gov.in>

No. F1(31)RJ/RERA/2019/2950

Dated: 30.12.2021

## **Minutes of the 10<sup>th</sup> Meeting of the Authority - 30.12.2021**

The 10<sup>th</sup> meeting of the Rajasthan Real Estate Regulatory Authority was held on 30.12.2021 at 1:00 PM under the Chairmanship of Shri Nihal Chand Goel, Hon'ble Chairman of the Authority, in his chamber at udyog Bhawan, Jaipur.

### **Present:**

1. Shri Nihal Chand Goel, Hon'ble Chairman (in Chair)
2. Shri Shailendra K. Agarwal, Hon'ble Member
3. Shri Salvinder Singh Sohata, Hon'ble Member

### **In attendance:**

1. Shri Hari Kumar Godara, Adjudicating Officer
2. Shri Ramesh Chandra Sharma, Registrar

### **Agenda-wise discussion held and decisions taken:**

#### **Agenda-1. Confirmation of the minutes of 9<sup>th</sup> Meeting of the Authority held on 15<sup>th</sup> November, 2021.**

#### **Decision**

**10.1** The Minutes of 9<sup>th</sup> meeting of the Authority were confirmed.

#### **Agenda-2. To note the judgment of Hon'ble Rajasthan High Court Jaipur Bench in DBCWP No. 13688/2021 Union Bank of India V/s RERA and other connected 69 writ petitions.**

#### **Decision**

**10.2** The Members took note of the said judgment passed by the Hon'ble Rajasthan High Court, on 14.12.2021, whereby Regulation 9 of the





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Rajasthan RERA Regulations, 2017 and the decision dated 25.09.2020 taken by the Authority in its 5<sup>th</sup> meeting to constitute single member benches, has been upheld.

**Agenda-3. To note the concurrence and approval of the state government and approve implementation of this Authority's order in complaint no. RAJ-RERA-C-2019-3169.**

## **Decision**

**10.3** The members noted that the matter of "Hyde Park Flat Owners Association versus Adarsh Buildestate Ltd. & Ors." (Complaint No. RAJ-RERA-C-2019-3169) was decided by this Authority vide its order dated 10.02.2021, whereby a scheme was approved for completion of the incomplete project called 'Hyde Park', which was registered with this Authority vide registration No. RAJ/P/2018/604 but which registration was subsequently revoked vide this Authority's order dated 16.01.2020. The said scheme for completion of the project was approved *inter alia* with a condition that it is sent to the State Government for consultation and approval as required under section 8 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter called 'the Act') before starting its implementation.

Accordingly, on 08.06.2021, this Authority's aforesaid order dated 10.02.2021, along with details of the approved scheme, was referred to the State Government in Urban Development and Housing Department, for consultation and approval under section 8 of the Act. In continuation thereof, on 09.11.2021, copy of an order of the Hon'ble Rajasthan High Court which came to be passed on 12.08.2021, in S.B. Civil Writ Petition No. 8607/2021 filed in the present matter, was also referred to the State Government.

Having considered the matter, the State Government has, vide its I.D. No. PS/UDH/21/12128 dated 21.12.2021 & 2342/Min/UDH/21 dated 23.12.2021, conveyed its competent concurrence/approval to the proposed course of action as approved by this Authority vide its aforesaid order dated 10.02.2021.





सत्यमेव जयते

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The limitation period of 60 days, provided under section 44 of the Act, for filing appeal against this Authority's aforesaid order dated 10.02.2021 has also expired.

The Authority, therefore, decided that this Authority's aforesaid order dated 10.02.2021 and the scheme approved thereunder be allowed to be implemented and all concerned parties be directed to initiate such action as is expected of them under the said order. It was also decided that as advised by the State Government, during the course of implementation of the approved scheme, this Authority shall watch the interest of all concerned parties as enshrined in this Authority's aforesaid order dated 10.02.2021.

There being no other business, the meeting ended with a vote of thanks to the Chair.

(Ramesh Chandra Sharma)

Registrar

Copy to the following for information and necessary action:

1. PS to Chairman
2. PS to Member (Shri Shailendra K. Agarwal)
3. PS to Member (Shri Salvinder Singh Sohata)
4. PS to Adjudicating Officer
5. PS to Registrar
6. AO-cum-Joint Registrar (Accounts)
7. Joint Registrar (Law)
8. Joint Registrar (Projects)
9. Dy. Registrar (Complaints)
10. Dy. Registrar (Court)
11. Dy. Registrar (Legal)
12. Guard File
13. Website of RERA

Registrar