



HARYANA RIGHT TO SERVICE COMMISSION
S.C.O. No. 38 & 39 (2nd FLOOR), SECTOR 17-A, CHANDIGARH-160017
Website- <https://haryana-rtsc.gov.in/> Telephone: 0172-2711050

Through Email only.

File No- HRSC010004/172/2025/ 325

Dated: 20.01.2026

To

The Chief Administrator,
HSVP, Panchkula.
E-mail: hsvp.rts@gmail.com

The Estate Officer-II,
HSVP, Faridabad.
E-mail: eo2fbdhsvp@gmail.com

Subject:- Revision No- AAS25/1763177-HSVP-Appellant- Siva Rama Krishna Garapati-Issuance of Possession Certificate [RTS - 3 Days] (HSVP-Faridabad)

Sir,

I am directed to forward herewith a copy of the Final order dated **19th January, 2026** passed by Sh. T.C. Gupta, Chief Commissioner, Haryana Right to Service Commission, Chandigarh in respect of above case for information and compliance. Further, the CA, HSVP is requested to submit the report to the Commission by **03.02.2026** through email at rtsc-hry@gov.in,. Physical copies should not be sent. The reply being sent must also mention the name of the signatory along with the designation. The reply received without mention of the name of signatory will not be accepted.

(Sube Khan)
Under-Secretary cum Registrar,
Haryana Right to Service Commission
Email: rtsc-hry@gov.in

A copy is forwarded to the Siva Rama Krishna Garapati (M) 9953254680, for information (through AAS Portal).



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Final Orders

[Revision No- AAS25/1763177-HSVP-Appellant- Sh. Siva Rama Krishna Garapati-Issuance of Possession Certificate [RTS - 3 Days] (HSVP-Faridabad)]

These orders are in continuation of the interim orders dated 27th October, 2025, issued vide the Commission's letter No. 4458 dated 29th October, 2025, in respect of the hearing held on 14.10.2025 at 12:00 noon. The operative part of the said orders is reproduced as under: -

- "1. (a) The Commission has carefully considered all the facts and circumstances of the case. It is placed on record that a visiting team from the Cabinet Secretariat, led by Sh. Keshav Kumar Pathak, IAS, Special Secretary, Sh. Saurabh Kumar Tiwari, IP&TA&FS, Additional Secretary and others also attended the hearing on Commission's request, to apprise them of the functioning of the Commission.
- (b) Coming to the specifics of the case, the EO was asked how the date of 05.09.2025 was entered in the PPM, to which he had no definite answer. He admitted that the entry was incorrect. He assured that the date would be removed at the earliest and that the interest of 5.5%, as per the terms of the allotment letter, would be duly paid to the complainant within ten days. This is not the first case before the Commission in which an earnest allottee has suffered due to bureaucratic failure of HSVP. There have been several instances where possession has been offered to allottees along with the allotment letter. However, when they apply for physical possession, they are denied it on account of incomplete development works. The Commission will take a stern view in such cases and hold the defaulting officials accountable for putting an undeveloped plot for auction, leaving allottees in lurch and subject to significant interest on their home loans. It is noteworthy that the Commission issued the first notice to the respondents on 01.09.2025, after which the possession date was incorrectly entered as 05.09.2025 in the PPM account of the allottee. Such administrative apathy could have resulted in HSVP charging extension fees on account of non-construction on the plot, when the same is not even offered to the allottee physically on the site. Accordingly, the Estate Officer is directed to remove the incorrect possession date from the PPM and ensure that the 5.5% interest, as per the terms of allotment, which specifies calculation after the expiry of 30 days from the application, is duly paid. He is further directed to inform the Commission of the name of the Estate Officer who sent the report to HQ/E-Auction Cell for placing this plot in auction and also auctioned the same. He is also directed to inform the name of the official responsible for entering the incorrect possession date. EO-2, Faridabad is directed to send this information to the Commission at its official email ID by 05.11.2025.

2. At the same time, the Commission notes that there is an overarching issue that needs to be addressed. There is a general discontent among several revisionists who have approached the Commission over the past year regarding the same matter. The Commission observes that such issues can only be addressed at the level of the Chief

Administrator (CA), HSVP who is responsible for policy-level decisions within the organization. Therefore, the CA, HSVP is requested to provide clarification on the following points:

- a. Whether plots can be put up for auction without completing the development works necessary for construction on the plots?
- b. If not, what procedure is followed by HSVP to ensure that development works are completed before putting the plots up for auction?
- c. Whether any responsibility is fixed for putting undeveloped plots for auction and who is responsible in this case?
- d. How it is justified to offer possession along with the allotment letter when development works at the site have not even been initiated on the ground?
- e. The tentative time schedule for completion of development works, as complainants have repeatedly requested a timeline due to the increasing cost of construction and development.
- f. According to the complainants, they have raised finances by taking loans from banks or financial institutions, thereby incurring substantial interest expenditure. Although interest at the rate of 5.5% (presumably per annum) is to be paid as per the terms of allotment, no complainant who has approached the Commission has received this interest to date. What mechanism does HSVP follow to ensure payment of interest to such allottees until possession is offered?

The CA, HSVP is requested to furnish his comments on the above points and intimate the Commission at its official email ID by 10.11.2025."

2. In reference to the same, two replies were received: -

- (i) A reply was received from the Estate Officer-II, HSVP, Faridabad, vide memo no. 2036 dated 11.11.2025, which stated that the interest amount from 23.12.2023 to 06.11.2025 of Rs. 9,10,126 was sent to the bank for transferring the amount to the applicant. It is further informed that the plot was e-auctioned on 14.06.2023 and during the same time, Sh. Siddharth Dahiya, HCS was posted as the Estate Officer. Sh. Rampal Kundu, JE approved the application online for which necessary directions were issued. The official intimated that he was not aware about the site and had recently joined the office and he will withdraw the possession certificate letter issued to the applicant. Date of possession certificate was withdrawn by their office.
- (ii) A reply was received from CA, HSVP, vide memo no. 384249 dated 05.12.2025, while giving a pointwise reply to the Commission's orders:

- a) With regard to putting plots for auction without completion of development works, it was stated that the auctions were conducted on "as is where is basis" as per policy dated 20.07.2022. The final decision with regards to plots put up for auction was taken by the competent authority. However, EO must ensure the verification of the property.
- b) Further, it was stated that instructions were issued on 13.10.2025 to all EOs, Administrators and CE that all development works should be completed beforehand.
- c) With regard to fixing responsibility, it was stated that directions were issued to Zonal Administrators to fix responsibility in this case. Further, all ZAs have been directed to fix responsibilities for similarly situated cases as well.

- d) Interest at 5.5% was given for delayed possession.
- e) Regarding tentative timeline of completion of development works, SE and the XEN have informed that it is likely to take around 15 months to be completed.
- f) Regarding mechanism to ensure payment of interest, it was stated that powers have been given to EOs regarding updation of possession interest. Further, process for notification of this under the Act is under active consideration.

3. In reference to the above, another report was sought from the CA, HSVP regarding how the plot was e-auctioned vide Commission letter no. 5331 dated 17.12.2025, with the request to submit a report by 29.12.2025. In reference to the same, a reply was received from the CCF, HSVP, Panchkula vide memo no. 2144 dated 02.01.2025, while sharing the noting sheet in this matter. The Commission observed that the details of the property was sent to ICICI Bank to upload on e-auction portal vide email dated 31.05.2023. It is noteworthy that the e-auction took place on 14.06.2023 and no report was received from the SDE (S) with regard to status of development works. The last reminder was sent on 07.06.2023. The list for verification was sent on 27.05.2023 and was listed on the portal on 31.05.2023 without waiting for the report of SDE(s) through the E.O.
4. The Commission has carefully considered all the facts and circumstances of this case. It is unfortunate that HSVP conducted an e-auction of the plot without carrying out the development works at the site. The audacity [though the Commission is conscious that this is a strong word to use for a Government organisation but it cannot avoid it in the given circumstances] of HSVP is evident from the fact that, without completing the development works, it even offered possession of the plot along with the allotment letter dated 24.11.2023. It has been argued that the auction was conducted on "as is where is basis?" The principle of 'as is where is basis' is applicable in respect of the condition of the plot like the area might differ from the category like if it is one kanal plot, the area can be 520 sq. yds, 530 sq. yds or even 480 sq. yds, there might be some pits on the plot which HSVP is not obliged to fill up before giving the possession but it does not mean that the development works to carry out construction on the plot like a motorable road to the plot, water supply, electricity supply would be non-existent on the plot. Providing this basic infrastructure is mandatory for the HSVP before offering possession in any case whether through normal allotment or e-auction. How could physical possession be offered when the development works were not complete? In fact, it is an implied condition that before any plot is put to e-auction, the development works at the site should be completed so that the allottees are able to carry out construction. It has also been specifically laid down in Condition No. 5 of the allotment letter that if possession is not delivered within 30 days of receipt of the application, HSVP shall be liable to pay interest, which it was not paying to any of the allottees in Faridabad. It is only after the orders of the Commission in similar cases that HSVP has now started paying interest. However, instead of paying it suo motu to provide some relief to such allottees, it pays interest only when they approach the Commission. This kind of attitude on the part of HSVP, which is a Government organisation and is supposed to act as a model developer, is wholly unacceptable. It is interesting to highlight that the Hon'ble Punjab and Haryana High Court in its orders dated 16.10.2025 (CWP-14243-2024), in para 19 had observed the following: -

"This Court observes that HSVP, being a public authority was constituted to provide affordable housing on a "no profit-no loss" basis and is expected to act fairly, reasonably, and within the legal framework, but in contrary, the conduct of the

respondent-HSVP, appears to be profit-driven and detrimental to the middle and lower-income citizens, thus contradicting its statutory purpose."

The main culprit in this case may be the Estate Officer, who failed to send a report on the status of development works to the HSVP Headquarters, resulting in this plot being put to auction or the e-auction cell of HSVP, which approved the auction of the plot without obtaining a report regarding completion of development works or allowed the plot to be auctioned despite knowing that the development works were incomplete, as in the case of Sh. Tanuj Sharma (AAS25/1873953). Merely writing a letter to the EO and putting the plot to the e-auction or approving the allotment letter to be issued after the e-auction without ascertaining the status of development works on ground is complete failure of the e-auction cell of HSVP, working under the very nose of the CA, HSVP. Though this case merits higher compensation to the Revisionist but this Commission can award compensation only up to Rs. 5,000/- (the maximum permissible under the Haryana Right to Service Act, 2014 (hereinafter referred to as the 'Act')). Accordingly, in exercise of its powers under Section 17(1)(h) of the Act, the Commission awards compensation of Rs. 5,000/- to Sh. Siva Rama Krishna Garapati, which shall be paid by HSVP within 15 days of this order and CA, HSVP is requested to send compliance of the same by 03.02.2026. HSVP may initially pay the same from its own funds which it may recover from the defaulting officials after conducting a thorough investigation. He may recover the same from the defaulting officials of E-Auction Cell who proceeded with the auction despite having no status on the development works or from the officials of Estate Office, Faridabad who failed to submit the status in a timely manner. Sh. Siva Rama Krishna Garapati, the revisionist is requested to provide the following details to the office of CA, HSVP (cahsvp01@gmail.com) as well as to the EO, Faridabad (eofbdhsvp@gmail.com) and the Commission (rtsc-hry@gov.in) for making the payment of the compensation: -

- (a) Name of the Bank
- (b) Name of the Account holder in the Bank
- (c) Bank Account Number
- (d) Address of the Bank
- (e) IFSC Code

At the same time, the allottee is free to approach the appropriate forum, such as the Consumer Forum, the Hon'ble High Court or any other competent authority, for claiming higher compensation for the harassment, financial loss, mental agony and hardship suffered by him.

5. As far as possession in the present is concerned, the Commission cannot ensure the same due to the lack of development work at site. Hence, this revision is filed with the Commission. However, it is hoped that HSVP will resolve the issue and deliver possession to the allottee at the earliest. As far as the corrective action for future is concerned, CA, HSVP has issued the instructions on 13.10.2025 that all development work should be completed before proceeding with e-auction. Though such instructions were always applicable before e-auction but it is a matter of solace that they have been reiterated or issued again by CA, HSVP after the intervention of the Commission and hopefully they will be scrupulously followed so that such cases do not come to fore.

19th January, 2026

