

Vikas  
15/11/23

**BEFORE THE MAHARASHTRA  
REAL ESTATE REGULATORY AUTHORITY, MUMBAI**

Virtual Hearing held through video conference as per  
MahaRERA Circular No.: 27/2020

**REGULATORY CASE NO. 73 OF 2023**

SHREE SANKET DEVELOPERS ... APPLICANT (PROMOTER)

VIKAS NAGAR PHASE I ...PROJECT NAME

**MAHARERA PROJECT REGISTRATION NO. P51600021855**

**ORDER**

November 07, 2023

*(Date of virtual hearing - 10.10.2023, matter reserved for order)*

**Coram: Shri. Ajoy Mehta, Chairperson, MahaRERA  
Shri Mahesh Pathak, Hon'ble Member-I, MahaRERA  
CA Pranesh Lodha for the Applicant (Promoter)**

1. The Applicant herein had registered the project namely "VIKAS NAGAR PHASE I" under section 5 of the Real Estate (Regulation and Development) Act, 2016 ("said Act") of Real Estate Regulatory Authority ("RERA") bearing MAHARERA Registration No. P51600021855 (hereinafter referred to as the "said Project").
2. An application was made by the Applicant (Promoter) for seeking deregistration of only two building out of 11 building registered under the said Project. In this regard the captioned case was heard by this Authority on 10.10.2023 wherein the following roznama was passed:  
*"The Promoter informs that they intend to deregister only 2 blocks namely block A & block I in the project consisting of total 11 blocks. The Promoter informs that the QPRs have been updated. The Promoter informs that they have not been able to continue with the project due to certain internal disputes. Matter reserved for order."*
3. The Applicant (Promoter) has stated the following for seeking deregistration (partly) of the two building out of 11 from the said Project:

- a. That the said Project consists of 11 buildings namely Block A, Block B, Block B1, Block C, Block D, Block E, Block F, Block G, Block H, Block I and Block J.
  - b. That the Applicant Promoter has filed this deregistration application for partial deregistration of the said Project only to the extent of deregistering 2 buildings i.e. Block A & Block I. The said Project registration shall continue for the remaining 9 buildings.
  - c. The Applicant Promoter seeks this partial deregistration due to dispute between landowners at the time of joint development agreement. Hence, a portion of land is not available for development. The Applicant Promoter further states that the sanction is received for entire plot.
  - d. The Applicant Promoter has updated the QPRs (*except Form 5*) as directed by the Authority on 10.10.2023.
  - e. It is observed that the Applicant Promoter had submitted an affidavit at the time of deregistration application stating that the Block A & Block I in the said Project has zero allottees.
4. Further, it is also observed that office of MahaRERA on 02.06.2023 & 19.06.2023 issued notices inviting objections for deregistration of the said Project wherein no such objections were received.
  5. Thus, from the facts and the submissions of the Applicant (Promoter) it is clear that there are no bookings made Block A & Block I of the said Project.
  6. Thus, the issue of *whether the said Project registration can be deregistered partially?*
  7. Before the Authority decides on the order on partial deregistration, the section that provides for grant of registration needs to be examined. Section 5 of the said Act is hereinbelow reproduced for ease of reference:

***"Section 5 - grant of registration:***

*(1) On receipt of the application under sub-section (1) of section 4, the Authority shall within a period of thirty days. (a) grant registration subject to the provisions of this Act and the rules and regulations made thereunder, and provide a registration number, including a Login Id and password to the applicant for accessing the website of the*

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