

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

SUO MOTU CASE NO. 69 of 2020

Secretary, Maharashtra Real Estate Regulatory Authority ... Complainant

Versus

Seva Developers ... Respondent

M/s DVS and Company (Chartered Accountant)

M/s. V. H. Jajoo & Company (Chartered Accountant)

M/s. Gaikwad Associates (Project Architect)
(Mr. Yogesh Gaikwad)

... Project Professionals

MahaRERA registration no: P51600012917

Corum: Shri. Gautam Chatterjee, Chairperson, MahaRERA

None appeared for the Respondent.
Project professionals did not appear.

Order (Ex-Parte)

February 10, 2020

1. This is a Suo-Motu matter taken up by MahaRERA against the Respondent's project 'Yash Residency' which is registered with MahaRERA Registration No. P51600012917.
2. On review of the Respondent's project registration, it is observed that the project registration of the said project has lapsed on March 31, 2019 and thereafter, no extension of



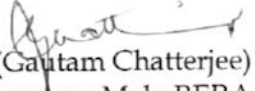
the date has been either sought or granted under the provisions of the Real Estate (Regulation and Development) Act, 2016 and the rules and regulations made thereunder. Further, the details available on the project registration webpage show that the project is not yet completed.

3. Since, there have been no online complaints filed with MahaRERA in this project, as yet, this matter was taken up as a Suo Motu Complaint and the Respondent and Project Professionals, associated with the project, were called for the hearing. No one appeared for the Respondent and Project Professionals, associated with the project in spite of service of notice.
4. At this stage when the project registration period has lapsed, the only way forward would be to protect the right of the allottees and enable them to form an Association of allottees who can take an informed decision regarding carrying out the balance work to complete the project.
5. In view of the above facts, the Respondent, Seva Developers, is hereby directed to handover the list of allottees of the said project, along with their contact details, to all the allottees of the said project, along with a copy of this order, to enable the allottees to form an association of allottees and thereafter take an informed decision pertaining to the said project. Thereafter, the association of allottees may like to proceed under Section 7/8 of the Act as per the MahaRERA Order no. 8/2019 dated March 29, 2019.
6. MahaRERA had imposed a penalty of Rs. 1,00,059/- on the promoter, M/s. Seva Developers, for delayed application for registration of their on-going project 'Yash Residency'. The promoter had applied for registration on August 16, 2017. Subsequently, the promoter has not only failed to pay the penalty amount, in spite of continuous follow up by MahaRERA Secretariat, they have also not been able to complete the project in the stipulated time which was March 31, 2019. Therefore, the said penalty amount, due to MahaRERA, shall form a part of the financial blue print, to be prepared by the Association of Allottees



for carrying out the balance work to complete the project under section 8 of the Real Estate (Regulation and Development) Act, 2016.

7. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA