

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

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

SUO-MOTU CASE NO. 299 OF 2023

1. F. RESIDENCES GHATKOPAR-
WING A AND B
2. F. RESIDENCES, GHATKOPAR,
WINGS C, D, E AND F

...PROJECT NAMES

ARIHANT REALTORS

Through its Partners:

Ashapura Group:

1. PRAVIN GIRISH CHAMARIA
2. CHETAN SUNDARJI BHANUSHALI
3. ASHAPURA EDIFICE PRIVATE LIMITED
THROUGH PRAVIN GIRISH CHAMARIA
(Authorized Signatory)
4. AHAPURA OPTIONS PRIVATE LIMITED
THROUGH PRAVIN GIRISH CHAMARIA
(Authorized Signatory)

Arihant Group:

5. PALLAVI JATIN MEHTA
6. CHAITANYA JATIN MEHTA
7. YOSHA JATIN MEHTA
8. DEVESH CHANDRA THAKUR

...PROMOTERS

MAHARERA PROJECT REGISTRATION NOS. P51800007550 & P51800025235

Order

May 26, 2023

(Date of virtual hearing - 15.05.2023 matter reserved for order)

**Coram: Shri. Ajoy Mehta, Chairperson, MahaRERA and
Shri. Mahesh Pathak, Hon'ble Member-1, MahaRERA**

Advocate Suraj Iyer a/w Mani Thevar i/b Ganesh &
Co. for Promoter (Arihant Group)

Advocate Prachi Patel for Chetan Bhanushali and
Pravin Chamaria [Partners of Promoter Firm- (Ashapura Group)]

1. ARIHANT REALTORS (*Partnership*) is the Promoter/Developer within the meaning of Section 2(zk) of the Real Estate (Regulation and Development) Act,

Dalim

Ajmal

2016 ("said Act") of Real Estate Regulatory Authority ("RERA") and has registered two projects under Section 5 of the said Act namely "F. RESIDENCES, GHATKOPAR, WINGS C, D, E AND F" bearing MAHARERA **Registration No. P51800007550** (hereinafter referred to as the "said Project No. 1") and "F. RESIDENCES GHATKOPAR - WING A AND B" bearing MAHARERA **Registration No. P51800025235** (hereinafter referred to as the "said Project No. 2").

2. Further the Promoter firm is a partnership concern and comprises of 8 Partners belonging to two groups namely Ashapura Group and Arihant Group (*mentioned above*). The captioned case was listed for hearing the Promoter being both the groups with respect to the limited issue of providing the login credentials.
3. Thus, the captioned case was heard on 15.05.2023 wherein the following Roznama was recorded:

"The Advocate for Promoter (Arihant Group) brings to the notice of the Authority the background of the matter and in view of the same seeks to have access to the login credentials. It is also brought to the notice of the Authority that they require the same so as to comply with the various returns that are required to be filed under RERA.

It is averred that they are finding it difficult to update the records and remain RERA compliant. They also state that the Arbitration Interim Order specifically restrains the other party from obstructing them from completing the project and complying with the various regulations. It is also averred that there are allottees in the captioned Projects. Further, there is a designated account which is now fully in their control and the same is used for the purposes as laid out under RERA. The Advocate for Promoter (Arihant Group) also informs this Authority that they are in the Process of receiving further approvals in the captioned Projects. Part Occupation Certificate has also been received in the Project No. P51800007550.

Advocate for Partners, Chetan Bhanushali and Pravin Chamaria (Ashapura Group) informs this Authority that they need to be given an opportunity to put the record straight so that unwarranted allegations are not made against them. They however aver that they have handed over the login credentials of the captioned Projects to the Promoter Firm which is the subject matter of the proceedings before the Authority today. The Advocate also seeks an opportunity to put their say on record in writing.

Parties are at liberty to file the written submissions, if any, by 22.05.2023. Subsequent to which, the matter will be reserved for orders."


H. J. M. K.


D. K. K.

4. The Partner Promoter namely Arihant Group and the Ashpura Group filed their submissions which the Authority has perused and taken on record. Further since the captioned case was listed for a limited issue of providing login credentials by the Ashapura Group Partners, the Authority is not dealing with any other issues which were brought up while hearing the Parties.
5. The Partner Promoter of Ashapura Group have vide their written submissions given the login credentials at para No. 4 of their written submissions dated 22.05.2023. This clearly implies that the Partner Promoter of Ashapura Group have no objection / issues in giving the login credentials to the Partner Promoter of Arihant Group. The Partner Promoter of Arihant Group however denies receiving of the same. The only matter that therefore survives is to ensure that the Partner Promoter of Arihant Group receives the login credentials for the said Project Nos. 1 & 2. This is also necessary to ensure that the said Project Nos. 1 & 2 proceed and remains RERA compliant.

FINAL ORDER

In view of the above, the Partner Promoter of Ashapura Group to ensure that the Partner Promoter of Arihant Group receives the login credentials within 2 weeks from the date of this order. The Partner Promoter of Ashapura Group to confirm to the Authority that they have been handed over the login credentials and the Partner Promoter of Arihant Group to confirm its receipt.


Mahesh Pathak
Member 1, MahaRERA


(Ajoy Mehta)
Chairperson, MahaRERA