

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

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

REGULATORY CASE NO. 405 OF 2025

PROMOTER NAME CLASSIC PROMOTERS AND BUILDERS
PRIVATE LIMITED

PROJECT NAME AVALON CITY - C2

MAHARERA PROJECT REGISTRATION NO. P52100014311

Order

(In an extension application)

September 15th, 2025

(Date of hearing -05.09.2025)

Coram: Manoj Saunik, Chairperson, MahaRERA

Advocate Jayanti Kulkarni is present through VC for the applicant promoter.

1. The applicant is the promoter/ developer within the meaning of Section 2(zk) of the Real Estate (Regulation and Development) Act, 2016 ("Act") of Real Estate Regulatory Authority ("RERA") and had registered the project "AVALON CITY - C2" under section 5 of the Act bearing MAHARERA Registration No. **P52100014311** (hereinafter referred to as the "Project").
2. The promoter has filed an extension application no. EXT52100028113 on 04.04.2025 (hereinafter referred to as "**extension application**") seeking for extension of the project under section 7(3) of the Act, which was heard by this Authority on 05.09.2025, wherein the following roznama was recorded:

"Heard the advocate for the applicant promoter on the extension application. The learned advocate submitted that there are no complaints in the project; the slab and RCC work have been completed, and the finishing work has commenced. Accordingly, the promoter seeks extension of the project completion period till 31.07.2026. Matter is reserved for orders."

3. Before moving ahead, the Authority notes the registration details already on record. The promoter, while seeking registration of the project had submitted the date of completion as 30.09.2021. MahaRERA granted three (3) extensions on the ground of Covid-19 pandemic totalling for one year which were granted to all the projects registered with MahaRERA and qualifying under Notifications / Orders Nos. 13, 14 & 21 along with extension under section 7(3), whereby the date of completion was extended upto 29.03.2025. The promoter seeks extension of the project till 31.07.2026
4. The promoter submits the following and avers that the delay in completion of the project is due to following reasons:
 - A. The project, initially sanctioned only up to the 11th floor, faced delays as further commencement approval (Application No. 10332230014122) applied on 21.12.2022 was granted on 26.12.2023, causing a 12-month hold on construction beyond the 11th floor.
 - B. That logistical hurdles arose due to a shared approach road in the larger occupied layout and limited site space, slowing material movement, unloading, storage, and handling, which affected blockwork, concrete pouring, and finishing.
 - C. That a statewide cement strike in January 2024 halted plastering and structural works, followed by a 6-month strike on crushed sand and aggregates, severely affecting RCC, masonry, and finishing. These uncontrollable factors caused over 16 months' delay.
 - D. That currently, RCC work is nearly complete, and balance work will follow as per the revised schedule. An extension till 31.07.2026 is requested for project completion and Occupancy Certificate, with assurance of full RERA compliance and timely delivery.
 - E. Efforts taken to obtain 51% consent - We have made efforts to obtain consent from the allottees; however, only 10.81% consent has been received so far. Due to delays in the project, we are unable to obtain the required percentage of the consent from the Allottees.

F. Steps to Complete the Project - RCC work is completed, and finishing work is currently in progress. Fit-out materials have been ordered. To ensure timely completion of the remaining finishing and infrastructure works, additional vendors have been appointed

G. Considering the above-referred situations, we would request the Authority to extend the date for completion of the project till 31/07/2026 on Conservative side..

5. Thus, the issue before this Authority is regarding grant of extension under Section 7(3) of the Act. In this regard, it is pertinent to note that the promoter this time has not been able to obtain 51% majority consent of the allottees of the project. In this context, the relevant extract of Section 7(3) is reproduced hereinbelow for ease of reference:

"7 (3) The Authority may, instead of revoking the registration under sub-section (1), permit it to remain in force subject to such further terms and conditions as it thinks fit to impose in the interest of the allottees, and any such terms and conditions so imposed shall be binding upon the promoter."

Section 7(3) provides that instead of revoking the registration, this Authority can impose certain terms and conditions as it thinks fit to let the registration remain in force.

6. The Authority has perused the application and supporting documents pertaining to the same filed on record. In view of the above submission of the promoter, the issue of the extension under Section 7(3) of the Act, as sought by the promoter without 51% consent of the allottees, needs to be examined considering the above-mentioned fact. The Authority would like to bring on record the statements of objects and reasons of the Act, which are reproduced hereinbelow for ease of reference:

"An Act to establish the Real Estate Regulatory Authority for regulation and promotion of the real estate sector and to ensure sale of plot, apartment or building, as the case may be, or sale of real estate project, in an efficient and transparent manner and to protect the interest of consumers in the real estate sector and to establish an adjudicating mechanism for speedy dispute redressal and also to establish the Appellate Tribunal to hear appeals

from the decisions, directions or orders of the Real Estate Regulatory Authority and the adjudicating officer and for matters connected therewith or incidental thereto."

7. The whole aim of the Act is to promote the real estate sector in an efficient and transparent manner and protect the interest of the consumers (*including home buyers / allottees*). Thus, by not extending the registration of the project the same will come to a halt. The promoter shall not be able to take actions for efficient completion as may be required in view of the lack of registration. Such an action will only be detrimental to the interest of the consumers (*including home buyers / allottees*). Thus, the balance of convenience lies in allowing the extension with conditions to ensure completion. Further, the Authority also notes that this extension under Section 7(3) needs to be granted so that the completion of the project is not interrupted. Therefore, in the interest of the allottees, the Authority grants extension from **30.03.2025 to 31.07.2027**. This extension will be without prejudice to the rights of the allottees under the Act. In view thereof, this Authority allows the extension application keeping the rights of the allottees intact with certain directions hereinbelow.

FINAL ORDER

8. The extension application is **allowed**, and the extension for the project is granted from **30.03.2025 to 31.07.2027** with the following conditions:
- A. The promoter shall complete the construction work and obtain occupancy certificate (OC) for the project. The allottees of the project shall co-operate with the promoter. That the rights of the allottees under the Act shall, however, remain intact.
 - B. The promoter is directed to submit within 15 days of this order date the PERT CPM / BAR charts about the milestones to be achieved with respect to the completion of the project. The same shall also be shared with the Allottees of the project.
 - C. The promoter herein is also directed to submit monthly progress reports of achievements of such milestones and/ or delay, if any, to MahaRERA, the association of allottees, if any, formed, and the allottees of the project.

- D. That upon receipt of the part / full OC, the promoter shall inform this Authority about the same and update all progress on the project registration webpage from time to time.

Manoj Saunik
Chairperson, MahaRERA

