

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

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

REGULATORY CASE NO. 408 OF 2025

PROMOTER NAME	THEME DEVELOPERS PRIVATE LIMITED
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PROJECT NAME STARLIVING

MAHARERA PROJECT REGISTRATION NO. P51700003414

Order

(In an extension application)

September 15th, 2025

(Date of hearing -05.09.2025)

Coram: Manoj Saunik, Chairperson, MahaRERA

Mr. Vinod Doulatani is present through VC as 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 “**STARLIVING**” under section 5 of the Act bearing MAHARERA Registration No. **P51700003414** (hereinafter referred to as the “**Project**”).
2. The promoter has filed an extension application no. EXT51700025630 on 19.12.2024 (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 applicant promoter, Mr. Vinod Doulatani, on the extension application. He submitted that in 2022, after the implementation of the 2034 DCR, the tenant size for the SRA project had to be revised from 270 sq. ft. to 300 sq. ft., requiring amendment of the entire building plans. The revised LOI was obtained in 2022, and fresh permissions from MOEF, Fire, and other authorities were required, which caused delays in project execution. The promoter further submits that the project is an SRA project involving 380 tenants; construction of one building has been handed over, while construction of the second building has reached the 14th level. Retrofitting works have been carried out to increase the building height, and all necessary approvals are in place. The promoter

seeks extension of the project completion period till 31.12.2028. It is submitted that the extension till 31.12.2028 is for new allottees, whereas for already sold units, the promoter will remain bound by existing obligations, and interest shall be payable to the existing allottees as applicable. The extension is required to facilitate sale and delivery of unsold units to new buyers. 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 31.12.2024. 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 6, whereby the date of completion was extended upto 30.06.2026. The promoter seeks extension of the project till 31.12.2028.
4. The promoter submits the following and avers that the delay in completion of the project is due to following reasons:
 - A. The construction of the project was as per newly amended plan started in the year 2019. But later in the year 2019, COVID-19 Pandemic struck and due to this the said project has been hit hard and was challenged by many obstacles such as non- availability of resources, manpower, health and safety measure, projects delayed and cancellations. The project site came to a complete standstill.
 - B. The work again started in and around December 2020 when there was relaxation from the Government Authorities for lockdown. But unfortunately again in the month of April 2021 there was lockdown in place and it further delayed the progress of the project.
 - C. There is also a delay in taking necessary approvals from the concerned Authorities due to lockdown in place from time to time.
 - D. Owing to the above situations, the project suffered significant delays and was not able to meet its construction targets and hence resulting in low sales and cancellations of flat bookings from the prospective buyers.

- E. That the project is now in the process of revival and has started construction activity in full swing however will require additional time for completion of the said project.
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 **31.12.2026 to 31.12.2028**. 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 **31.12.2026 to 31.12.2028** 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