

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

HEARING IN HYBRID MODE

REGULATORY CASE NO. 414 OF 2025

PROMOTER NAME

NAGESH BUILDTECH LLP

PROJECT NAME

PLAN M BUSINESS PARK

MAHARERA PROJECT REGISTRATION NO. P51700023125

Order

(In an extension application)

November 14th, 2025

(Date of hearing –03.11.2025-matter reserved for order)

Coram: Manoj Saunik, Chairperson, MahaRERA

Advocate Parth Chande is present for the applicant promoter through VC.

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 "PLAN M BUSINESS PARK" under section 5 of the Act bearing MAHARERA Registration No. P51700023125 (hereinafter referred to as the "Project").
2. The promoter has filed an extension application no. EA30102518200 on 30.10.2025 (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 03.11.2025, wherein the following roznama was recorded:
*"Heard the learned advocate for the applicant promoter on the extension application. He submits that the project is around 50% complete and that the primary reason for the delay, apart from the disruption caused by COVID-19, is the time taken in obtaining the aviation NOC. It is noted that an extension under Section 6 has already been granted till 31.10.2026. Through this application, the applicant seeks a further extension of one year, i.e., from 31.10.2026 to 31.10.2027.
Matter 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 01.11.2024. MahaRERA granted three (3) extensions on the ground of Covid-19 pandemic which were granted to all the projects registered with MahaRERA and qualifying under Notifications / Orders Nos. 13, 14 & 21 dated 02.04.2020, 18.05.2020 & 06.08.2021 along with extension granted under section 6, whereby the date of completion was extended upto 31.10.2026. The applicant promoter submits that the project has been delayed due to the COVID-19 pandemic, lockdowns, labour shortages, and supply chain disruptions. Further delay was caused on account of the process of availing additional FSI, which required an Aviation NOC; though conditionally approved in 2024, the final NOC from the Mumbai office was received only in July 2025. Consequently, the revised commencement certificate could not be obtained earlier, resulting in delay in further construction. Hence, the promoter has applied for extension vide the extension application herein under section 7(3) of the Act for the period from 01.11.2026 to 31.10.2027.

4. 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.

5. The following submissions of the promoter are noteworthy before examining the issue of grant of extension under Section 7(3) of the Act:
 - a. The applicant-promoter submits that the project was registered on 01.12.2019 and states that the delay in completion has occurred due to factors and circumstances beyond their control.

- b. The applicant submits that the progress of the project was significantly disrupted owing to the COVID-19 pandemic and the consequent lockdowns imposed during 2020 and 2021, which adversely impacted labour availability, supply of construction materials, and the pace of approvals. Despite gradual resumption of operations post-pandemic, labour shortages and supply chain constraints continued to affect construction activities.
 - c. The applicant further submits that the last Commencement Certificate (CC) was received in May 2023 for a built-up area of 25,713.66 sq. m. Thereafter, the applicant proposed to avail additional FSI, which required obtaining an Aviation NOC. The NOC application was initiated prior to 2023 and a conditional approval was issued by the Delhi office in 2024, which was subsequently forwarded to the Mumbai office for final approval. The Mumbai office, which was expected to issue the NOC by April 2025, granted the same only in July 2025. The applicant submits that the revised CC shall be obtained immediately upon receipt of the final NOC.
 - d. It is submitted that approximately 70% of the construction work stands completed as on date under the existing CC. Upon grant of the Aviation NOC and revised CC, both wings (East and West) are planned to be constructed up to 36 floors each. Accordingly, additional time is required to complete the enhanced construction scope while ensuring compliance with statutory standards and quality parameters.
 - e. In view of the above, the applicant prays that Authority may kindly consider the present request sympathetically and grant extension of project completion date till 31.10.2027.
6. 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 of the project completion date from **01.11.2026 to 31.10.2027**. 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 **01.11.2026 to 31.10.2027** 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

