

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

HEARING IN HYBRID MODE

REGULATORY CASE NO. 418 OF 2025

PROMOTER NAME VARDHAN ASSOCIATES

PROJECT NAME VARDHAN ROYALE

MAHARERA PROJECT REGISTRATION NO. P51800024821

ORDER

(In an extension application)

November 14th, 2025

(Date of hearing –10.11.2025-matter reserved for order)

Coram: Manoj Saunik, Chairperson, MahaRERA

Advocate Harshad Bhadbhade 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 "VARDHAN ROYALE" under section 5 of the Act bearing MAHARERA Registration No. P51800024821 (hereinafter referred to as the "Project").
2. The promoter has filed an extension application no. EA02062501389 on 05.06.2025 (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 10.11.2025, wherein the following roznama was recorded:
*"1. Heard the learned advocate for the applicant promoter on the extension application.
2. The project comprises two wings forming part of a composite building developed under the Slum Rehabilitation Authority (SRA) scheme.
3. The promoter has obtained the full Occupation Certificate (OC) dated 19.04.2024 for the rehabilitation Wing 'B'. Further, the promoter has applied to the competent authority for issuance of the full OC in respect of the Sale Wing 'A'.
4. The applicant promoter seeks extension till 30.05.2026.
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 30.05.2023. 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 29.05.2025. The applicant promoter submits that the project has been delayed due to circumstances beyond the promoter's control, including a High Court stay order dated 03.09.2024 temporarily restraining issuance of the OC, disruptions caused by the COVID-19 pandemic, and delays in obtaining statutory clearances from competent authorities. These factors collectively resulted in an administrative delay in securing the final OC for Wing 'A'. Hence, the promoter has applied for extension vide the extension application herein under section 7(3) of the Act for the period from 30.05.2025 to 30.05.2026.

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 comprises two wings forming part of a composite building developed under the SRA scheme.
 - b. The construction of the project has been completed in all respects. The occupation certificate dated 19.04.2024 for the rehabilitation wing 'B' has been obtained. All lifts and electric meters are installed and operational, the

BMC water connection has been secured, and fit-out possession has been handed over to the allottees to facilitate interior works.

- c. In respect of the Sale Wing 'A', the application for issuance of the full OC has been duly submitted to the competent authority and is presently under process. The delay in obtaining the final OC is stated to be purely administrative and procedural in nature and not attributable to any fault or negligence on the part of the promoter.
 - d. The promoter further submits that the delay in completion and formal closure of the project was primarily on account of circumstances beyond its control, namely:
 - i. A stay order dated 03.09.2024 passed by the Hon'ble High Court in a settlement case, which temporarily restrained issuance of the OC;
 - ii. Disruptions caused by the COVID-19 pandemic during 2020-2021, resulting in lockdowns, labour migration, and supply chain delays; and
 - iii. Delays in obtaining statutory clearances and procedural approvals from competent authorities.
 - e. It is submitted that the promoter has made all possible efforts to complete the project and fulfil all statutory requirements. All major works and amenities have been completed, and the project is ready for possession, subject only to receipt of the final OC for Wing 'A'.
 - f. Despite genuine efforts through follow-up calls, SMS reminders, site notices, and meetings, the required consents could not be obtained as several allottees are untraceable or residing abroad, some remained non-responsive, and others treated the extension as a mere procedural formality since the project is already complete, and the OC application is pending.
 - g. In view of the above, the promoter prays that the Authority may be pleased to grant an extension of project registration upto 30.05.2026, to enable completion of statutory formalities, receipt of the OC for Wing 'A', and formal handover of possession.
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 **30.05.2025 to 30.05.2026**. 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 **30.05.2025 to 30.05.2026** 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

