

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

HEARING IN HYBRID MODE
AS PER MAHARERA CIRCULAR NO.: 48/2025

REGULATORY CASE NO. 402 OF 2025

PROMOTER NAME

GIO PROPERTIES

PROJECT NAME

MATRUSMRUTI

MAHARERA PROJECT REGISTRATION NO. P51800055075

ORDER

(In an extension application)

September 15th, 2025

(Date of hearing –29.08.2025-matter reserved for order)

Coram: Manoj Saunik, Chairperson, MahaRERA

Advocate Parth Chande is present for the 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 “MATRUSMRUTI” under section 5 of the Act bearing MAHARERA Registration No. **P51800055075** (hereinafter referred to as the “Project”).
2. The promoter has filed an extension application no. EA07082502316 on 07.08.2025 (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 29.08.2025, wherein the following roznama was recorded:
*“Heard the learned advocate for the promoter on the extension application. The learned advocate submitted that this is the first extension sought and seeks extension upto 01.10.2026 for completion of the project.
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 02.10.2025. The applicant promoter submits that the project could not be completed due to unavoidable delays arising from two-

sided road widening and subsequent demarcation/handing over of the road area to MCGM, which was completed only on 05.03.2025 despite the promoter's request dated 18.01.2024. It is submitted that the delay of about one year and four months was beyond the promoter's control, no complaints have been filed in respect of the project. Hence, the promoter has applied for extension vide the extension application herein under section 7(3) of the Act for the period from 03.10.2025 to 01.10.2026.

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 was originally scheduled for completion by 02.10.2025. However, due to unforeseen and uncontrollable circumstances, the project could not be completed within the stipulated period.
 - b. The primary cause of delay was the requirement of two-sided road widening within the project limits, followed by demarcation of road boundaries and handover of the designated road area to the Brihanmumbai Municipal Corporation (BMC). Although the applicant's architect had submitted a road takeover request letter to the Municipal Corporation of Greater Mumbai (MCGM) on 18.01.2024, the actual possession of the road area was formally taken over by MCGM only on 05.03.2025, resulting in a

delay of approximately one year and four months, which was beyond the control of the promoter.

- c. The applicant submits that the present situation falls within the category where this Authority may, at its discretion, waive the requirement of obtaining 51% consent from allottees, since the delay arose due to administrative and procedural constraints outside the promoter's control, the extension sought is in the larger public interest, and no rights or interests of the allottees are adversely affected.
 - d. The applicant further submits that there have been no complaints filed before this Authority, Courts, Tribunals, Forums, or NCLT in respect of the said project, and that the promoter has maintained transparency and compliance throughout the development process.
 - e. The applicant assures that it remains a bona fide developer committed to completing the project and prays that the Authority may consider the above circumstances and grant extension of the project completion timeline up to 01.10.2026.
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 from **03.10.2025 to 01.10.2026**. 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

The extension application is **allowed**, and the extension for the project is granted from **03.10.2025 to 01.10.2026** 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