

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

HEARING IN HYBRID MODE

REGULATORY CASE NO. 410 OF 2025

PROMOTER NAME S D CORPORATION PRIVATE LIMITED

PROJECT NAME SIENNAA WING E

MAHARERA PROJECT REGISTRATION NO. P51800019677

ORDER

(In an extension application)

October 14th, 2025

(Date of hearing – 06.10.2025 - matter reserved for order)

Coram: Manoj Saunik, Chairperson, MahaRERA

Advocate Karan Dua 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 "SIENNAA WING E" under section 5 of the Act bearing MAHARERA Registration No. P51800019677 (hereinafter referred to as the "Project").
2. The promoter has filed an extension application no. EXT51800024529 on 08.08.2024 (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 06.10.2025, wherein the following roznama was recorded:
"Heard the learned counsel for the applicant-promoter and his submissions on the extension application. 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 31.12.2023. 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, whereby the date of

completion was extended upto 30.12.2024. The applicant promoter submits that due to the unforeseen impact of the COVID-19 pandemic, including labour migration, supply chain disruptions, lockdowns, and financial constraints, the project could not be completed within time. Hence, the promoter has applied for extension vide the extension application herein under section 7(3) of the Act for the period from 31.12.2024 to 30.12.2027.

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 with the Authority on 20.02.2019. That the construction industry is labour-intensive and any disruption in labour availability has a direct bearing on project timelines. The outbreak of the COVID-19 pandemic in early 2020, which was an unforeseen and uncontrollable event, severely affected the progress of the project.
 - b. That due to the onslaught of COVID-19, there was a large-scale reverse migration of labour from the State of Maharashtra. Consequently, the labour strength at the project site drastically reduced. Despite subsequent relaxations issued by Government Authorities for restarting work, the labourers could not return owing to interstate travel restrictions, mandatory RTPCR testing, and quarantine requirements.

- c. That during the pandemic period, the supply chain of construction materials was severely disrupted as suppliers and manufacturers faced operational shutdowns under Government restrictions. This adversely affected the availability of materials and caused considerable delay in the construction schedule.
- d. It was also submitted that the local authorities in Mumbai imposed several lockdowns and restrictions during the second and third waves of COVID-19, further hampering on-site work. The Department of Revenue and Forest, Disaster Management, Relief and Rehabilitation, Government of Maharashtra, vide Order dated 13.04.2021, allowed construction activities only in projects having in-premises labour camps. As the present project did not have such a facility, work at the site could not be resumed.
- e. That the project was further affected by a substantial increase in the cost of construction materials and services post-pandemic, thereby disturbing the project's financial viability. Vendors also insisted on advance payments contrary to contractual terms, aggravating the cash flow situation.
- f. That the disbursement of funds by financial institutions was delayed due to revaluation processes in retail home loans, further affecting liquidity and causing unavoidable delays despite the Promoter's best efforts to mitigate the situation.
- g. The applicant promoter submits that eight (8) complaints have been filed before the Authority in relation to the said project. However, no complaints or proceedings are pending before any other Court, Tribunal, Forum, or the National Company Law Tribunal in respect of the said project.
- h. The applicant promoter submits that despite sincere efforts, it could not obtain the required 51% consent from the allottees for the purpose of seeking extension.
- i. The applicant promoter thus prays that, in light of the above uncontrollable circumstances and reasons beyond its control, the Authority may kindly grant an extension of the project registration till 30.12.2027, to enable completion of the project and safeguard the interests of all stakeholders.

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 **31.12.2024 to 30.12.2027**. 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 **31.12.2024 to 30.12.2027** 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

