

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

HEARING IN HYBRID MODE

REGULATORY CASE NO. 411 OF 2025

PROMOTER NAME

MIHIR HOMES ENTERPRISE LLP

PROJECT NAME

NYATI EQUINOX I

MAHARERA PROJECT REGISTRATION NO. P52100047984

ORDER

(In an extension application)

October 14th, 2025

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

Coram: Manoj Saunik, Chairperson, MahaRERA

CA Nicky Milani 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 "NYATI EQUINOX I" under section 5 of the Act bearing MAHARERA Registration No. P52100047984 (hereinafter referred to as the "Project").
2. The promoter has filed an extension application no. EXT52100024352 on 16.07.2024 (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 Chartered Accountant 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 31.08.2026. The applicant promoter submits that the extension is sought only for completion of the additional buildings newly included under the existing registration, while the timelines for the originally

registered buildings remain unchanged. Hence, the promoter has applied for extension vide the extension application herein under section 7(3) of the Act for the period from 01.09.2026 to 30.09.2028.

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 07.12.2022. The project initially consisted of six (6) buildings, namely 1B, 1C, 1D, 2E, 2F and a commercial building, with a valid completion date up to 31.08.2026.
 - b. The applicant promoter submits that at the time of registration, the Basement, Parking Level 1, Parking Level 2 and Parking Level 3 were common for the entire layout comprising Buildings 1A, 1B, 1C, 1D, 2A, 2B, 2C, 2D, 2E and 2F. It was envisaged that the remaining buildings of the larger layout would be registered subsequently as Nyati Equinox II and Nyati Equinox III.
 - c. Accordingly, Nyati Equinox II (Phase 2), comprising Buildings A and B, was registered on 15.02.2024 bearing MahaRERA Registration No. P52100054912. Thereafter, an application was made on 30.04.2024 to

register Nyati Equinox III (Phase 3), comprising Buildings 1A, 2A, 2B, 2C and 2D.

- d. During scrutiny of the said application, the Registration Desk of the Authority informed the applicant promoter that Nyati Equinox III could not be registered separately since the common basement and parking levels had already been included under the registration of Nyati Equinox I, as per MahaRERA Order No. 50 dated 10.01.2024.
- e. Consequently, as per the directions of the SRO and the Authority's representatives, the applicant promoter submitted a correction application on 26.06.2024, requesting to add the aforesaid buildings (1A, 2A, 2B, 2C and 2D) into the existing registration of Nyati Equinox I. The said correction was duly approved, and a fresh certificate reflecting the inclusion of these buildings was issued on 10.07.2024.
- f. Since the newly added buildings would require additional time for completion, the applicant promoter was advised to file an extension application for extending the project completion date up to 30.09.2028. Accordingly, the applicant promoter filed the extension application along with all requisite documents.
- g. However, due to technical issues arising from the migration of the MahaRERA portal from MahaIT to MahaCRITI, the said application could not be processed in time, and certain queries were raised thereafter regarding submission of 51% allottees' consent and the updated PERT-CPM chart.
- h. The applicant promoter submits that despite holding several meetings and maintaining continuous communication with the allottees, the required percentage of consents (51%) could not be obtained. Further, some allottees have changed their contact details, while others are non-responsive or disinterested in the process. In view of these practical difficulties, the applicant promoter has sought extension under Order No. 40.
- i. The applicant promoter has furnished the Architect's Certificate in Form 1 as on 31.03.2025, showing the construction progress of all buildings. The applicant promoter proposes the revised completion dates as follows:

SR. NOS.	BUILDING NOS.	REMARKS	PROPOSED COMPLETION DATE
1.	1B	Existing Building	31.08.2026 i.e no change in the completion date
2.	1C	Existing Building	
3.	1D	Existing Building	
4.	2E	Existing Building	
5.	2F	Existing Building	
6.	Commercial Building	Existing Building	
7.	1A	Newly Added Building	30.09.2028
8.	2A	Newly Added Building	30.09.2028
9.	2B	Newly Added Building	30.09.2028
10.	2C	Newly Added Building	30.09.2028
11.	2D	Newly Added Building	30.09.2028

- j. The applicant promoter declares that there are no complaints filed before the Authority against the project. However, certain civil proceedings are pending between Mihir Homes Enterprise LLP and the heirs of late Maruti Genu Karanjawane in respect of the underlying land. The details are as under:

SR. NOS.	CASE NO & FORUM	PARTIES	STATUS
1	RCS No. 592/2020 (Civil Judge, Junior Division, PMC)	Shri Nanasaheb Maruti Karanjawane & Ors. vs Mihir Homes Enterprise LLP & Ors.	Ongoing
2	WP No. 12405/2024 (Bombay High Court)	Shri Nanasaheb Maruti Karanjawane & Ors. vs Mihir Homes Enterprise LLP & Ors.	Ongoing
3	CRA No. 71/2025 (Bombay High Court)	Mihir Homes Enterprise LLP vs Shri Nanasaheb Maruti Karanjawane & Ors.	Ongoing

- k. The applicant promoter therefore prays that the Authority may kindly consider the present extension application and grant extension till 30.09.2028.

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 01.09.2026 to 30.09.2028** solely for the additional buildings 1A, 2A, 2B, 2C, and 2D. 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 **01.09.2026 to 30.09.2028** solely for the additional buildings 1A, 2A, 2B, 2C, and 2D 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

