

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

Virtual Hearing held through video conference as per
MahaRERA Circular No.: 27/2020

REGULATORY CASE NO. 60 OF 2023

SHREE GANESH LIFESPACES LLP

... APPLICANT (PROMOTER)

SHREE GANESH NAGAR

...PROJECT NAME

MAHARERA PROJECT REGISTRATION NO. P52000000683

Order

April 22, 2024

(Date of virtual hearing -08.04.2024)

**Coram: Shri. Ajoy Mehta, Chairperson, MahaRERA
Shri Mahesh Pathak, Hon'ble Member-I, MahaRERA
Shri Ravindra Deshpande, Hon'ble Member-II, MahaRERA**
None was present for the Applicant (Promoter)

1. The Applicant herein had registered the project namely "SHREE GANESH NAGAR" under section 5 of the Real Estate (Regulation and Development) Act, 2016 ("said Act") of Real Estate Regulatory Authority ("RERA") bearing MAHARERA Registration No. P52000000683 (hereinafter referred to as the "said Project").
2. On 22.02.2023, an application was made by the Applicant (Promoter) for seeking deregistration of the said Project. In this regard the captioned case was heard on 08.09.2023 & 15.09.2023 wherein the following roznama was recorded by the Authority on 15.09.2023:
*"It is seen that the Promoter has not filed QPRs. It is also observed that there are bookings which are not being reflected here. Shri Sanjay Deshmukh, Consultant, MahaRERA to call the parties for physical verification of their documents.
Appropriate notice to be issued by Shri Sanjay Deshmukh, Consultant, MahaRERA. The matter will be taken up for hearing by the Authority subsequent to the report of Shri Sanjay Deshmukh, Consultant, MahaRERA."*
3. Subsequent to the Roznama dated 15.09.2023 the captioned case was heard before Shri Sanjay Deshmukh (Chief Consultant), MahaRERA on several

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occasions namely on 26.12.2023, 08.01.2024 and 30.01.2024 after which Report dated 05.03.2024 was submitted before the Authority. Following are the observation of the report dated 05.03.2024:

"Consequently, three meetings were scheduled on 26.12.2023, 08.01.2024 and 30.01.2024 wherein Promoter remained absent for all the meetings. Since the Promoter remained absent for scheduled meetings, physical verification of documents, as directed by the Authority could not be done."

4. Subsequent to the Report dated 05.03.2024 the captioned case was heard before the Authority on 08.04.2024 wherein the following Roznama was recorded:

"The Authority has perused the report of Shri Sanjay Deshmukh dated 05.03.2024. It is seen from this report that Shri Sanjay Deshmukh had scheduled 3 meetings namely on 26.12.2023, 08.01.2024 and 30.01.2024 wherein the Promoter remained absent for all the meeting. The Authority notes with concern that the Promoter has neither appeared before the Authority today nor has he appeared before Shri Sanjay Deshmukh in spite of Shri Sanjay Deshmukh being deputed by the Authority. In view of the above, the matter stands disposed."

5. The Applicant (Promoter) has stated the following in its application for seeking deregistration of the said Project:

- a. That the Project consist of Three (3) buildings.
- b. That the project unviable since there were no buyers.


6. Further, it was observed from the MahaRERA website, total 48 bookings are made in the said Project (in 2 out of the 3 buildings) and no proof of settlement of rights of allottees is submitted by the Applicant Promoter. To examine the same the Authority directed Shri Sanjay Deshmukh (*Chief Consultant*), MahaRERA to call the parties for physical verification of their documents. However, despite calling the Applicant (Promoter) on several occasions the Applicant (Promoter) failed to remain present before Shri Sanjay Deshmukh (*Chief Consultant*), MahaRERA and the Authority.


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7. Thus, from the Report dated 05.03.2024 and the MahaRERA website it is not clear whether there are any Allotees in the said Project or whether the rights of the Allotees are being settled. It is observed that office of MahaRERA on 02.06.2023 & 19.06.2023 issued notices inviting objections for deregistration of the said Project wherein no suggestions/objections were received.
8. It is observed that the Applicant (Promoter) choose to remain absent on various occasions in spite of the hearing notices being sent by MahaRERA office. It is also observed that The Applicant (Promoter) has not updated the QPRS and there is nothing on record to show that no booking was made, or sale was done under the said Project.
9. In view of above the Authority is constrained to reject the application for deregistration for it not being pursued. The Applicant (Promoter) is hereby cautioned to not initiate matters if they have no intent to pursue it.
10. Thus, the said Project registration be kept in **abeyance** and the Promoter herein is directed not to advertise, market, book, sell or offer for sale, or invite Person/s to purchase in any manner any apartment / unit in the said Project. However, the Applicant (Promoter) is given liberty to reinstitute the matter by following due procedure. The captioned case is **disposed of**.


(Ravindra Deshpande)
Member-II, MahaRERA


(Mahesh Pathak)
Member-I, MahaRERA


(Ajoy Mehta)
Chairperson, MahaRERA