

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

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

**REGULATORY CASE NO. 291 OF 2024**

KUSHAL ADIRAJ ASSOCIATES

... APPLICANT (PROMOTER)

KUSHAL SWARNALI C1

...PROJECT NAME

**MAHARERA PROJECT REGISTRATION NO. P52100016192**

**Order**

April 17, 2025

(Date of virtual hearing -02.04.2025, matter reserved for order)

**Coram: Manoj Saunik, Chairperson, MahaRERA**

**Mahesh Pathak, Member-I, MahaRERA**

**Ravindra Deshpande, Member-II, MahaRERA**

None was present for the Applicant (Promoter)

1. The Applicant herein had registered the project namely "KUSHAL SWARNALI C1" under section 5 of the Real Estate (Regulation and Development) Act, 2016 ("Act") of Real Estate Regulatory Authority ("RERA") bearing MAHARERA Registration No. P52100016192 (hereinafter referred to as the "Project").
2. On 11.05.2023, an application was made by the Applicant (Promoter) for seeking deregistration of the Project. In this regard the matter was heard on, 13.09.2024, 29.10.2024, 13.12.2024 and 02.04.2025 wherein the following roznama was recorded by the Authority on 02.04.2025:

*"None present for the promoter.*

*It is observed from the last roznama dated 13.01.2025 that the promoter had sought for an adjournment in absence of his advocate. However, despite notice of hearing the promoter has remained absent today.*

*It is observed that as per roznama dated 29.09.2024 the promoter was directed to file proper deregistration application by mentioning area details, location and to update quarterly progress reports. The Authority observes that the promoter has failed to update quarterly progress report and to file necessary documents.*

*In view of non-compliance of directions and absence of the promoter, matter is reserved for orders."*

3. The Applicant (Promoter) had filed the deregistration application stating the following reason:

*Deshpande*

*Deshpande*

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*Mahesh*

*"Due to financial hurdles, landowner with the consent of the promoter sold the project land to the third party."*

4. The matter was listed on multiple occasions. On 13.09.2024, the Applicant (Promoter) remained absent. It is observed that the application is deficient. The Notarized Declaration-Cum-Undertaking dated 27.02.2023 contains incorrect area and location details pertaining to a different project, raising doubts about the genuineness of the application. On 29.10.2024, the Applicant (Promoter) was present and was directed to file a revised deregistration application with accurate details of the project area, location and to update the Quarterly Progress Reports (QPRs) in accordance with Section 11(1) of the Act, before the next hearing date. Despite being granted time to rectify these discrepancies, no corrective steps have been taken. Further, on 13.12.2024, the Applicant (Promoter) appeared but sought adjournment due to the absence of counsel, which was permitted by the Authority. However, on 02.04.2025, the Applicant (Promoter) again remained absent without any communication or valid reason.
5. It is observed that the application was initially filed on 11.05.2023, the Applicant (Promoter) has failed to comply with directions, furnish requisite documents and update the QPRs for almost a year. The applicant's repeated absence, non-compliance, and failure to prosecute the matter reflect a lack of bona fide intent. Accordingly, the application for deregistration is **dismissed for default, non-compliance, and want of prosecution**. However, **liberty is granted to the Applicant (Promoter) to restore the application** by filing a proper and complete application with all requisite documents, including correct project details and updated QPRs, before the **Director (Compliance), MahaRERA**, who shall consider the same upon being satisfied.

*Peshpande*  
*17/04/2025*  
Ravindra Deshpande  
Member-II, MahaRERA

*Mahesh Pathak*  
Mahesh Pathak  
Member-I, MahaRERA

*Manoj Saunik*  
Manoj Saunik  
Chairperson, MahaRERA