

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

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

**REGULATORY CASE NO. 376 OF 2025**

PROMOTER NAME SAI SMARAN INFRA AND DEVELOPERS

PROJECT NAME SAI MANAS

**MAHARERA PROJECT REGISTRATION NO. P52000008081**

## ORDER

(In an extension application)

**June 18<sup>th</sup>, 2025**

(Date of hearing –13.06.2025-matter reserved for order)

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

Representative Mr. Uttam Palande a/w Mr. Vishwanath Palande (Landowner) 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 “SAI MANAS” under section 5 of the Act bearing MAHARERA Registration No. **P52000008081** (hereinafter referred to as the “**Project**”).
2. The promoter has filed an extension application no. EXT52000027303 on 25.01.2025 (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 13.06.2025, wherein the following roznama was recorded:

*"Representative Mr. Uttam Palande a/w Mr. Vishwanath Palande (Landowner) present for promoter.*

*Heard the co-promoter of the project in person. He is the original landowner and also a partner in this housing project. He submits that his role in the project was both as a landowner and a builder. Sai Smaran Infra and Developers had come forward to develop the land. However, the builder was unable to complete the project due to medical reasons. As a result, the project remained incomplete. The original landowner has now decided, in consultation with allottees, to take steps to complete the project. He states that the project will be completed in two stages. In the first phase, he intends to complete 16 flats that are already nearing completion. These flats will then be sold to generate*

*capital, which will be utilized for completion of the remaining portion of the project, comprising a total of 53 flats. He is accordingly seeking an extension of one year, i.e., up to 30.06.2026, to complete the project.  
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 31.12.2018. MahaRERA granted extension on the ground of Covid-19 pandemic which were granted to all the projects registered with MahaRERA and qualifying under Notifications / Orders Nos. 21 dated 06.08.2021 along with extension under section 6 and section 7(3), whereby the date of completion was extended upto 23.05.2023. The promoter states the delay in the project occurred due to multiple unforeseen circumstances. Initially, approval was granted for construction of ground plus two floors, and a subsequent approval for two additional floors was received after a few years. The COVID-19 pandemic further halted progress, causing contractors to abandon the site. Additionally, delayed payments from customers resulted in the bank withholding disbursements, and there was also a shortage of sand during this period. At present, the landowner is actively involved and has several unsold flats, which he intends to sell to raise funds for completion. A contractor has already been appointed with a time-bound completion schedule. Hence, the promoter has applied for extension vide the extension application herein under section 7(3) of the Act for the period from 24.05.2023 to 30.06.2026.
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. That the delay in the project occurred due to multiple unforeseen circumstances. Initially, approval was granted for construction of ground plus two floors, and a subsequent approval for two additional floors was received after a few years. The COVID-19 pandemic further halted progress, causing contractors to abandon the site. Additionally, delayed payments from customers resulted in the bank withholding disbursements, and there was also a shortage of sand during this period.
  - b. That the original landowner was present and he submits that his role in the project was both as a landowner and a builder.
  - c. That earlier Sai Smaran Infra and Developers had come forward to develop the land. However, the builder was unable to complete the project due to medical reasons. As a result, the project remained incomplete.
  - d. That landowner is actively involved and has now decided, in consultation with allottees, to take steps to complete the project.
  - e. He states that the project will be completed in two stages. In the first phase, he intends to complete 16 flats that are already nearing completion. These flats will then be sold to generate capital, which will be utilized for completion of the remaining portion of the project
  - f. In view of the above, the promoter seeks extension of the project up to 30.06.2026.
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. However, in the interest of the allottees, the Authority grants extension from **24.05.2023 to 30.06.2026**. 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 **24.05.2023 to 30.06.2026** 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**