

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

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

**REGULATORY CASE NO. 382 OF 2025**

PROMOTER NAME MADHU HARSHAD DOSHI

PROJECT NAME UNIQUE VISTAS-BLDG. NO. 5

**MAHARERA PROJECT REGISTRATION NO. P51700005345**

**ORDER**

*(In an extension application)*

**June 30<sup>th</sup>, 2025**

*(Date of hearing –25.06.2025-matter reserved for order)*

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

Mr. Kunal Doshi, authorised representative 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 “UNIQUE VISTAS-BLDG. NO. 5” under section 5 of the Act bearing MAHARERA Registration No. **P51700005345** (hereinafter referred to as the “**Project**”).
2. The promoter has filed an extension application no. EA20052501195 on 20.05.2025 (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 25.06.2025, wherein the following roznama was recorded:  
*“Mr. Kunal Doshi, authorised representative for the promoter is present.  
The authorised representative of the promoter appeared and was heard on the extension application.  
Matter is 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 30.06.2021. 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 along with extension under section 7(3), whereby the date of completion was extended upto 30.06.2025. That the project construction is 95% complete, key infrastructure works such as storm water drains, water supply, sewerage, and electrical connectivity are pending. This is primarily due to the non-commencement of the DP road work by the Thane Municipal Corporation despite land being handed over on 31.10.2017, and the Thane-Borivali Twin Tunnel project, which required surrender of land and revision of approvals after joint measurements on 31.10.2023. The project also lacks road access, and despite repeated follow-ups, no resolution has been received from the concerned authorities. The delay in the project is beyond the control of the promoter. Hence, the promoter has applied for extension vide the extension application herein under section 7(3) of the Act for the period from 01.07.2025 to 31.12.2025.

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 construction work of the building is approximately 95% complete as on date.

- b. That the area falling under the proposed DP road on the plot has already been handed over to the Thane Municipal Corporation through an indenture of transfer dated 31.10.2017, followed by a Deed of Rectification dated 07.02.2018. However, the Corporation has not commenced the DP road work till date, despite our continuous follow-ups.
  - c. Further, there was a sudden intimation regarding the proposed Thane-Borivali Twin Tunnel passing through our layout, as a result of which a substantial portion of land – measuring approximately 2326.40 sq. mtrs – had to be handed over to MMRDA, pursuant to a joint measurement conducted by MMRDA and MHADA on 31.10.2023. This necessitated significant changes to the approved layout and obtaining revised approvals from various authorities, which are still in process.
  - d. These unforeseeable events and administrative delays have constrained the flow of project activities and led to unavoidable delays in completion.
  - e. That due to the above issues, crucial infrastructure works such as storm water drains, sewerage, water supply lines, and electrical cable connectivity are still pending. The proposed tunnel work has further restricted our ability to carry out these works. Additionally, the project currently has no road access, and repeated follow-ups with the Thane Municipal Corporation have yielded no resolution in this regard.
  - f. That the promoter had initially planned to hand over possession to the allottees by 30.06.2025, but in view of the above technical and administrative challenges, the promoter now seeks a six-month extension till 31.12.2025 to complete the remaining infrastructure works and obtain the Occupation Certificate.
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 **01.07.2025 to 31.12.2025**. 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 **01.07.2025 to 31.12.2025** 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**