

**BEFORE THE MAHARASHTRA  
REAL ESTATE REGULATORY AUTHORITY, MUMBAI**  
Virtual Hearing held through video conference as per  
MahaRERA Circular No.: 27/2020

**REGULATORY CASE NO. 117 OF 2023**

PROMOTER NAME WESTERNCITY TOWNSHIPS LLP

PROJECT NAME VTP SOLITAIRE PHASE 1 AB

**MAHARERA PROJECT REGISTRATION NO. P52100000727**

**ORDER**

*(In an extension application)*

**December 28, 2023**

*(Date of hearing – 26.12.2023 matter reserved for order)*

**Coram: Shri Ajoy Mehta, Chairperson, MahaRERA**

Mr. Ashutosh Bag present for the Promoter

1. WESTERNCITY TOWNSHIPS LLP is the Promoter/Developer within the meaning of Section 2(zk) of the Real Estate (Regulation and Development) Act, 2016 ("**said Act**") of Real Estate Regulatory Authority ("**RERA**") and had registered the project "VTP SOLITAIRE PHASE 1 AB" under section 5 of the said Act bearing MAHARERA **Registration No. P52100000727** (hereinafter referred to as the "**said Project**").
2. The Promoter has filed an extension application No. EXT52100017820 on 21.10.2023 (hereinafter referred to as "**said extension application**") seeking for extension of the said Project under section 7(3) of the said Act which was heard by this Authority on 26.12.2023 wherein the following roznama was recorded:  
*"Promoter avers that the building is complete and full OC is obtained. However, OC was obtained post the lapse of the Project. The Promoter therefore seeks post-facto sanction for extension in order to enable the Promoter to file Form-4.  
Promoter seeks extension till 31.10.2023 in order to comply with the same.  
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 said Project had submitted the date of completion as 31.12.2020. 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 respectively along with extension granted under Section 6 of the said Act whereby the date of completion was extended up to 30.12.2022. The Promoter states that occupancy certificate (OC) dated 24.06.2022 and 13.04.2023 was issued by the Pune Municipal Corporation (PMC). The said Project is now complete and the Promoter has sought extension only to update Form 4 and the period from lapse to the date of obtaining OC. Hence the Promoter has applied for extension vide the said extension application herein under section 7(3) of the said Act for the period from 31.12.2022 to 31.10.2023.
4. Thus, the issue before this Authority is with regard to grant of extension under Section 7(3) of the said Act. In this regard it is pertinent to note that the Promoter this time has not been able to obtain 2/3<sup>rd</sup> majority consents of the Allottees of the said 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.”*

On the plain reading of Section 7(3) of the said Act, it is clear 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 Authority observes that the Promoter has not complied with compliances namely Form 2A for year 2019-2020 & 2020-2021 as mandated under RERA.

6. Moving further, the issue of the extension under Section 7(3) of the said Act as sought by the Promoter without 2/3<sup>rd</sup> consents of the Allottees needs to be examined in light of the above-mentioned fact. The Authority would like to bring on record the statements of objects and reasons of the said 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.”*

On perusal of the above it is clear that the said Project is complete and the OC for the same is obtained by the Promoter. However, the Promoter seeks extension only till 31.10.2023 to update form 4 on the RERA registration webpage. The whole aim of the said Act has been 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 said Project the same shall be stalled. The Promoter shall not be able to take action 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 such condition so as to ensure completion. Further the Authority also notes that this extension under Section 7(3) is the first extension and the same needs to be granted so that the completion of the said Project is not jeopardised. Thus, the Authority grants extension to the registration of the said Project from 31.12.2022 to 31.10.2023. Needless to say, this extension will be without prejudice to the rights of the Allottees under the said Act. In view thereof, this Authority allows the said extension application keeping the rights of the Allottees intact with certain directions hereinbelow.

### **FINAL ORDER**

The said extension application is **allowed** and the extension for the said Project is granted from 31.12.2022 to 31.10.2023 with the following conditions:

- A. That the rights of the Allottees under the said Act shall however remain intact.
- B. The Promoter is directed to comply with the pending compliances as stated herein on or before 15.01.2024.

**(Ajoy Mehta)**  
**Chairperson, MahaRERA**