

**BEFORE THE MAHARASHTRA REAL ESTATE
REGULATORY AUTHORITY, MUMBAI
REGULATORY CASE NO.301 OF 2024**

PROMOTER NAME -----	PARAMVIR DEVELOPERS LLP.
PROJECT NAME -----	HIGH STREET
PROJECT REGISTRATION NO.--	P51800005582

Coram: Shri Manoj Saunik, Hon'ble Chairperson, MahaRERA
Shri Mahesh Pathak, Hon'ble Member-1, MahaRERA
Shri Ravindra Deshpande, Hon'ble Member-2, MahaRERA

ORDER issued on 26 December, 2024

(Date of hearing 14 November, 2024, matter reserved for order)

MahaRERA has conducted forensic audit of the project High Street (MahaRERA registration number P51800005582) of the Paramvir Developers LLP., on the ground that the funds collected for the said project had been dealt in a manner detrimental to the interest of the allottees, thereby violating the provisions of the RERA Act.

2. Based on the report of the forensic audit then Chief Consultant of the MahaRERA had issued an order dated 9th January, 2024 against the promoter of the High Street project, which was further challenged before the Hon'ble Bombay High Court in Writ Petition (L) No. 10055 of 2024 by the said promoter.

3. The Hon'ble High Court was pleased to issue an order dated 10th October, 2024 thereby setting aside the order dated 9th January, 2024 issued by the Chief Consultant of MahaRERA and further passed following directions :-

(i) The petitioner shall be given a fresh oral hearing by MahaRERA along with liberty to the Petitioner to place on record any additional documents before the said Authority. According to Respondent No.2 a copy of the

Investigation Report dated 23rd March, 2023, Draft Forensic Report as well as the signed final Forensic Report have already been handed over to the Petitioner. Mr. Tulzapurkar, the learned Senior Counsel appearing for the Petitioner, submits that he is not in a position to ascertain whether these documents have in fact been handed over. We direct that in the event these documents have not been handed over, or if another copy is demanded, the same shall be furnished to the Petitioners.

(ii) It is agreed between the parties that the oral hearing referred to above will be given on 25th October, 2024. Once the oral hearing/s, as the case may be, are completed, MahaRERA shall endeavor to pass their order within a period of four weeks from the date of conclusion of the hearing/s. In the event the order passed by the MahaRERA is adverse to the Petitioner, the same shall not be implemented for a period of two weeks from the receipt of the copy of the said order by the Petitioner and/or the Advocates for the Petitioner.

4. As per the directions given by the Hon'ble High Court, the proceedings were conducted before the Maharashtra Real Estate Regularly Authority and accordingly the hearing was conducted on 25th October, 2024. The Roznama is reproduced herein below for ease of reference: -

"The Advocate for the Promoter was present.

The Advocate submitted in writing for four weeks' time. However, orally he seeks Eight weeks' time to file the further documents. However, two weeks' time is granted to submit the same. As mentioned in the order passed by the Hon'ble High Court, the Authority is directed to conclude the matter within four week's and the Authority is inclined to do the same.

In view of the above the captioned matter is adjourned to 14.11.2024 at 03.00PM at Churchgate office, MahaRERA."

5. Thereafter further hearing was conducted on 14th November, 2024 wherein the Learned Advocate of the promoter also stated that he will furnish another affidavit for providing further details about the project. The Roznama is reproduced herein below for ease of reference: -

"Appearances are as per the appearance sheet.

Heard the learned advocate of the promoter who has filed an affidavit covering many aspects of the matter. He further states that he will furnish another affidavit showing the updated designated account no. from which all further transactions will be made and also submit all the ledgers of the designated account updated till 30.10.2024. Further, agrees to incorporate in the affidavit the change in entity from a limited liability partnership to a private company. The said affidavit is to be submitted with the Authority and to all the parties concerned till 18.11.2024. In view thereof, the matter stands reserved for orders."

6. Thereafter, the promoter has submitted an affidavit dated 18th November, 2024 and provided/ clarified the details of the projects of which some facts are mentioned as below :-

- a) The promoter has now opened three designated RERA bank accounts as mandated by the provisions of the Act.
- b) The related parties, who had been paid money meant for the project without proper recording of reason, have paid back Rs. 11.70 crores towards the project during month of November 2023, after the receipt of MahaRERA notice consequent to the forensic audit.
- c) Promoter has submitted details of the unit wise agreement value, received amount, credit note amount and receivable amount.
- d) Promoter has submitted summary of the cost incurred towards the land parcel purchased which reflects that that land parcel has been sold at same price at which it has been purchased.
- e) Promoter has complied with QPR requirements as per the provisions of MahaRERA.
- f) The promoter has in his affidavit undertaken that "henceforth all funds of allottees will be deposited in the RERA designated account and will be operated as per the provisions of the RERA Act."

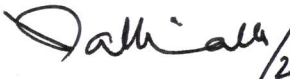
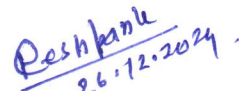
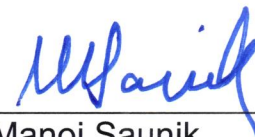
Conclusions

7. After going through the affidavit submitted by the promoter as well as the latest report of forensic audit agency, it appears that allottees' funds which were mis-allocated by the promoter have now been returned. Majority of the serious observations/ objections forming

part of forensic audit report have been complied by the promoter. With respect to remaining observations, the promoter has given an undertaking to comply in due course of time. It is a fact that the promoter had earlier mis-allocated the funds of the project which have now been brought back. Therefore, considering the interests of the allottees and in the interest of the completion of the project we hereby pass the following order. :-

8. Order

- a) The action initiated by the MahaRERA against the promoter Paramvir Developers LLP. for the project High Street (P51800005582) is hereby dropped.
- b) As the promoter had mis-allocated the funds of the said project in contravention of the provisions of the Act, a penalty of Rs.50,000/- is imposed upon the promoter Paramvir Developers LLP.
- c) The amount of the cost of forensic audit of Rs.6,00,000 is levied upon the promoter Paramvir Developers LLP.
- d) Above orders B) and C) shall not be implemented for period of two weeks from the date of receipt of the copy of this order by the promoter and/or the Advocates of the promoters, as per the directions of the Hon'ble High Court.

 26.12.24	 26.12.2024	
Mahesh Pathak	Ravindra Deshpande	Manoj Saunik
Member-1, MahaRERA	Member-2, MahaRERA	Chairperson, MahaRERA