GOA REAL ESTATE REGULATORY AUTHORITY
DEPARTMENT OF URBAN DEVELOPMENT
GOVERNMENT OF GOA
101, 1ST Floor, 'SPACES' Building, Plot No. 40, EDC Patto Plaza, Panaji 403 001 GOA
www.rera.goa.gov.in

F.No.3/RERA/complaint (19)/2018/ 387   Date: 3|/10/2018

ORDER

Whereas a complaint has been filed before the Interim Authority on 24/03/2018, Goa RERA by Shri Kashinath Shetye, A-102, Raj Excellency Patto Ribandar Goa, under section 3, of the Real Estate Regulatory Act;

Whereas it has been stated that the following projects are not registered with Goa RERA namely: -

1) Rajdeep Green Field -Santa Cruz
2) Rajdeep Residency- Chimbel
3) Rajdeep Residency -Donapaula
4) Rajdeep Anandi Residency -Bhatlem
5) Rajdeep Residency -Taleigao
6) Rajdeep Residency -Mapusa
7) Rajdeep Kenkre Residency -Bambolim
8) Rajdeep Bhavan -Socorro
9) Rajdeep Molacar Residency -Merces
10) Rajdeep Ideal Residency -Taleigao

Whereas a Show Cause Notice was issued to Rajdeep Builders on 13/07/2018 and vide letter dated 19/07/2018 received by this office on 20/07/2018, the reply was submitted by the respondent.

Whereas the respondent was represented by Mrs. Sailee Thanekar, Legal Respondent on behalf of M/s Rajdeep Builders on 07/09/2018;

21/9/2018 onwards Mr. Shivin Dessai Adv represented Rajdeep Builder and attended the hearings.

Whereas it was felt by the Interim Authority to verify the facts through hearing of complainant and respondent.

Whereas vide hearing notice dated 27/08/2018 the parties were called for hearing.

Whereas the complainant was present in person for the hearings on 07/09/2018, 19/09/2018, 21/09/2018 and 26/09/2018.

During the course of hearing it was revealed that the six projects namely:

1. Rajdeep Green Field- Santa Cruz

2. Rajdeep Residency- Chimbel

3. Rajdeep Residency- Donapaula

4. Rajdeep Anandi Residency- Bhatlem

5. Rajdeep Ideal Residency- Taleigao

6. Rajdeep Residency- Mapusa

Were completed prior to November 2017, i.e. before Goa RERA rules came into being and Completion Certificate of all these projects were already issued. These facts were bought out by the Developer in his deposition.

Out of the remaining projects namely:

1. Rajdeep Kenkre Residency- Bambolim

2. Rajdeep Bhavan- Socorro

3. Rajdeep Molacar Residency- Merces

4. Rajdeep Residency- Merces

The Respondent in his written brief stated that he wasn't into Marketing or issuing ads in respect of the aforesaid projects.

Whereas complainant could point out anomaly of marketing in respect of Rajdeep Kenkre Residency, Bambolim, only.

Since there was no conclusive proof of anomalies for three projects, Respondent was confronted in respect of M/s Rajdeep Kenkre Residency only, based on complainant proof.

Since there were certain deficiencies in respect of certain documents submitted by the respondent for registration of the project, the inquiries were made on various occasions asking respondent to remove the deficiencies. After having removed the deficiencies which were duly verified by the Authority, the registration was granted to the Promoter on 20/7/2018.

Whereas Section 3 of the RERA Act and Rules there under states that prior registration of the project is mandatory before promoter can advertise, market, book, sell or offer for sale or invite persons to purchase any apartments or plots.

And whereas promoter resorted to advertisement, marketing, booking etc. without getting registration no. of the apartments; thereby committing violation of Section 3 of RERA Rules there under;

Hence invoking Section 59(1) of RERA Act penalty of **Rs. 1,00,000/-**(double the amount of Project fees); is levied on the promoter of the project M/s Rajdeep Kenkre Residency for violating provisions of section 3 of the RERA Act.

Issued under my hand and Seal of this office on this 29th day of October, 2018.

(Sudhir Mahajan)
Interim Authority Goa RERA

To: Shri. Rajesh Tarcar,
    Rajdeep Builders,
    202, 2nd floor, Mathias Plaza,
    Above Canara Bank,
    18th June Road,
    Panaji Goa

Copy to: - Shri Kashinath Shetye,
    A-102, Raj Excellency, Patto.