



**GOA REAL ESTATE REGULATORY AUTHORITY**  
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F.No:4/RERA/Adj. Matters (10)/2021/1529

Date: 19/11/2025

**BEFORE THE ADJUDICATING OFFICER**

**Ms. Vanshika Rane**

UG1/UG2, Varadhraj Greens,  
Near HP Gas Godown,  
Matve, Dabolim, Vasco,  
South Goa, 403801.

.....Applicant

***Versus***

**1. Sandeep Shirodkar**

C-1, Tilak Commercial Complex,  
Vasco Da Gama, Goa, 403802.

**2. Siddhi Shirodkar,**

R/o Radha Krishna Niwas,  
Near 1<sup>st</sup> PWD Water Tank,  
New Vaddem, Vasco Da Gama, 4038002.

.....Respondents

Ld. Advocate Shri Madhav Cuncolienar representing the applicant.

Ld. Advocate Shri Prashant Vengurlekar presenting the respondents  
no. 1 and 2.

**ORDER**

**(Delivered on this the 19<sup>th</sup> day of the month of November, 2025)**

*Handwritten signature*

The applicant filed the present application for needful action under Section 200 Cr. P.C. against the respondent for the offence of perjury with common intention at exhibit 962/c.

2. The applicant submitted that the applicant had initiated proceedings against the respondent no. 1 before this authority for having failed to comply with the promises proposed in the agreement of sale dated 13-06-2016 and brochure with the applicant. That the Respondent no. 1 in his reply dated 20<sup>th</sup> August 2020 to the applicants petition before the Member, Goa RERA, falsely stated that he as a promoter before March 2018 and also stated that the promoter i.e. respondent no. 1 has completed all the works and has solved the parking space, concrete, PCC on 06.08.2020 and got the confirmation about the complainant's satisfaction of work from the Chairman of the society. That the Member, Goa RERA vide order dated 11<sup>th</sup> October 2021 upon considering the reply filed by the respondent was pleased to appreciate the same and driven to form an opinion which came to be reflected in his findings thereby passing the said order, believing the same. Subsequently during the adjudication proceedings, the Respondent no. 2 i.e. Mrs. Siddhi Shirodkar was arrayed and added to the complaint. The respondent no. 1 had also enclosed a document



indicating three persons namely (i) Mr. Deepak Naik (ii) Mr. David Kandre (iii) Mr. Vishnu Kerkar indicating themselves as executive committee members of an illusory proposed society which factually does not exist. The said document had been manufactured particularly to submit before The Adjudicating officer to misguide the authority without any such document being factually executed and sent/delivered to the complainant as claimed in para 14 of the Affidavit in Evidence dated 4th November 2022 submitted before the Adjudicating officer.

3. The complainant had also addressed letters to assistant registrar of co-operative society to which the reply states no such proposal or application was ever received, nor any society in such name, is registered. Further, the respondent no. 1 has been acting as a power of attorney holder of his wife Smt. Siddhi Shirodkar (Respondent no. 2) as claimed and conveyed by the respondent no. 1 as the documents reveal which have been filed before your office. The respondent no. 1 and 2 both also claim in their respective Affidavit in Evidence submitted before the Adjudicating Officer that the respondent no. 1 cease to continue to be the agent since the Power of attorney that appointed respondent no. 1 as agent has been revoked on 17th July





2018 thus, he is not bound with any accountability. The referred para no. 7 of the Affidavit in Evidence dated 4th November 2022 of the Respondent no. 1 reads as below:

"7. .... I say that the case herein that any false information of the project was given to the complainant even though the respondent is not at all responsible for any of the questions raised by the RERA as the Power of Attorney upon which the respondent has acted or the agreement for sale dated 13-06-2016 was revoked on 17-07-2018 prior to filing of the complainant by the complainant".

4. And para 4 of the Affidavit in Evidence dated 23<sup>rd</sup> March 2023 of the Respondent no. 2 read as below:

"4. .... That however initially the power of attorney was with respondent no. 1 which was subsequently revoked thereafter on 17.07.2018."

5. But the complainant has received documents under RTI from the Mormugao Planning and Development Authority where it is noticed that the accused no. 1 has signed as owner instead of his wife in the application for submission of revised plan which is submitted on 06-02-2019 which is after the alleged revocation. The respondent no. 1 also claims that the project "VARADHRAJ GREENS" was



registered under RERA on 03.11.2021. In the Affidavit in Evidence submitted before the Adjudicating Officer dated 04.11.2022 in "4. I say that the project "VARADHRAJ GREEN" is registered under RERA on 03.11.2021 and the payment of Rs. 50,000/- paid and \_\_\_\_\_"

6. That the actual registration of the Project under RERA was done 07th June 2023 much after the dated of filing the said affidavit in evidence. The same was also confirmed by the email in response to the complainant's inquiry sent by your office dated 14.12.2022. The complainant for the act of perjury undertaken by the respondents which is a punishable offence under Section 193 of the I.P.C legally initiated private complaint before the Court of the JMFC (Judicial Magistrate First Class), Vasco Da Gama.

7. The complainant had filed a complaint under section 200 Cr. P. C. against the respondent no 1 and the three persons mocking to be the office bearers of the Society which in fact does not exist before The Court of Judicial Magistrate First Class at Vasco Da Gama - Goa. The above complaint before The Court of Judicial Magistrate First Class at



Vasco Da Gama - Goa was disposed off vide order dated 12th April 2024 on the below grounds:

"4. At the outset, it is pertinent to note that S. 195(1) of Cr. P. C. states that no court shall take cognizance of any offence punishable U/s. 193 to 196 (both inclusive) amongst others, when such offence is alleged to have been committed in any proceedings in any court, except on the complaint in writing of that court."

"5. In the present case, perjury is alleged in respect of evidence before RERA authority. As such, this authority becomes 'Court' while reading with section 195(1) of Cr. P. C. However, in the present case, there is no complaint filed by the RERA authority."

"6. In such circumstances, the bar under section 195(1) of Cr. P.C. will be applicable. Thus, this court is not empowered to take cognizance against such offence. Hence, dismissed."

8. Section 195(1) Cr. P. C"

"(1) No Court shall take cognizance:-"

"(b) (i) of any offence punishable under any of the following section of the Indian Penal Code, Sections 193 to 196 both inclusive, 199, 200, 205 to 211(both inclusive) and 228, when such offence is alleged to have been committed in, or in relation to, any proceeding in any Court, or (except on the complaint in writing of that court or of some other court to which that court is subordinate.)



(2) Based on the above order of The Court of Judicial Magistrate First Class at Vasco Da Gama - Goa it is prayed that this authority in reference to the Section 195 Cr.P.C be pleased to lodge a complaint against the delinquents for their foul act of perjury for swearing false and incorrect affidavit and enabled the Court to be misled.

9. The respondent filed a reply at exhibit 996/c stating that the application is not maintainable under the law and that the applicant had no authority nor had power of attorney to initiate the original complaint before this authority. The respondent further stated that all the flat owners have been given possession of their respective flats who are living in the complex from year 2018 onwards. Society has been formed.

10. Respondent further stated that agreement of sale dated 13/6/2016 was entered between Diwan Construction and Vishal Rane in respect of sale of Flat bearing No.UG-1/UG-2 admeasuring 120Sq. Mts.. Therefore, the applicant has no authority to initiate any complaint before this authority and the complaint itself is void-ab-initio. Since, the applicant has no authority to file original complaint, the present complaint is not maintainable. The respondent further stated that in view of what is stated in above paras this authority may



kindly inquire in what status the original complaint was made to this authority and whether the complaint was filed under Power of Authority. The respondent submitted that the application may be dismissed and inquiry may be held in what status the original complaint was made to this authority and whether the complaint was filed under Power of Authority.

11. I have gone through the records as well as considered the arguments advanced before me.

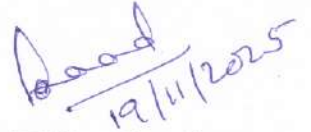
12. The Respondent has stated that the Adjudicating Officer has no jurisdiction as the adjudicating Officer is not a Magistrate and Goa RERA is not a court to deal with such complaints and is functus officio as the case is before MAHA RERA in appeal.

13. Well, under Section 35 of the Real Estate (Regulation and Development) Act, 2016, the Authority exercises powers that are vested in a Civil Court under the Code of Civil Procedure, 1908 and therefore falls within confines of a court. Furthermore, this court is not the Magistrate who will be conducting the matter for perjury. If there is a prima facie case made out in the enquiry conducted by this court, then a complaint will be filed before a Magistrate under Section 200 of Criminal Procedure Code.





14. As far as being functus officio in deciding the present application, the main application for compensation filed in Form B has been decided and which is now pending before MAHA RERA. The present application is filed under Section 200 Cr. P. C by the Complaint claiming that the respondent no. 1 has maliciously made false statements/ evidence. These claims are to be independently decided after enquiry is made and a finding is recorded that the respondents have deliberately committed perjury. Hence this Authority, the Adjudicating Officer has jurisdiction to entertain the present application. Therefore the matter now stands posted for preliminary enquiry on the next date of hearing.

  
19/11/2025

**(Sayonara Telles-Laad)**  
**Adjudicating Officer,**  
**Goa RERA**