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
Tel: 0832-2437655; e-mail: goa-rera@gov.in

F.No:3/RERA/Complain(36)/2018/ 319   Date: 9 /12/2019

Order

Whereas a complaint has been filed before the Interim Authority, Goa RERA by Ramdulari Kedia, 10-A, Srinagar Annexe, Indore, Madhya Pradesh, of the Real Estate (Regulation and Development) Act, 2016; and received by this office vide Inward No.624 dated 9/10/2018 and complaint received online dated 30/11/2018 for violating provisions of the RERA (Act), by the Respondent.

Whereas it has been stated by the complainant that the registration of part project by Goan Real Estate and Construction Pvt Ltd (GRECPL) has been sought in order to evade RERA provisions;

Whereas it has been stated that GRECPL are Promoters and Developers of the composite residential project in Bambolim, Tiswadi -Goa called Aldeia de Goa;

Whereas it has been stated by the complainant that the project was planned and developed in stages over three places i.e. Phase I, Phase II and Phase V. Phase I & II comprise only of sub divided plots whereas Phase V comprises of apartments and villas;

Whereas the complainant are the owners of the properties in the project Aldeia de Goa have learnt from the RERA website that GRECPL has registered the following projects with RERA: 1. Reg No: PRGO03180192 dated 28 March 2018 for Phase II Frangipani Villas. 2. Reg No: PRGO03180177 dated 28 March 2018 for Phase V Sector 2 Apartments. Phase II Frangipani Villas is not an independent project but is a small part of the Project Aldeia De Goa Phase I & II. Which was recognized as such by the TCP department vide their letter No: TIS/3801/BAM/10/1515 dated 27 October 2010;

Whereas it is stated by the complainant that the villas comprise just 38 plots out of 338+3 plots comprised in the Project. The artificial separation of Frangipani Villas from the project, after the enactment of RERA is clearly without any justification and with the sole purpose of defeating the law in so far as it pertains to Project. This illegal and arbitrary separation cannot be done as the entire project is an ongoing project;

Whereas it has been stated by the complainant that sector 2 of Phase V is a small part of the project Aldeia de Goa which was sanctioned as such by the Panchayat/TCP. The project comprised of Plots 95/1, 96/1, and 101/1 of village Bambolim. Therefore as long as the construction of sector 2 continues, the entire Phase V remains an ongoing project liable to be registered under RERA;.

Whereas it has been stated by the complainant that by artificially separating Frangipani Villas from the project Aldeia de Goa Phase I and II and by separating sector 2 arbitrarily from the project Aldeia de Goa Phase V,The promoter has tried to evade its responsibility under RERA and has illegally taken away our rights granted to them by the Parliament;

Whereas it has been stated by the complainant that in 2018, Goan Real Estate & Construction Pvt. Ltd. registered frangipani Villas and sector 2 Phase V as independent projects.
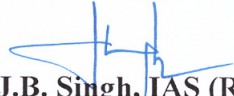
Whereas notices were issued to both parties to appear for hearing on 29/05/2019 only respondent through his Adv. Sufiyan Sayed appeared for the said hearing and requested copy of the complaint and such other documents filed before the Authority so as to file detailed reply in the matter.

Whereas the complaint copy was served to the Respondent on 30/5/2019 to which the reply was not received by this office.

Whereas the fresh hearing notice was issued to both the parties to appear for hearing on 4/12/2019 at 3:30 p.m.

Whereas both the Complainant and Respondent failed to appear for above said hearing.

Therefore, the case is dismissed for default in appearance.

J.B. Singh, IAS (Retd.)
Member

To,

1. **Ramdulari Kedia,**
   R/o 10-A, Shrinagar Annexe,
   Indore 452 016 Madhya Pradesh.

2. **Goan Real Estate and Construction Private Ltd.,**
   Aldeia De Goa,
   P.O. Goa University,
   North Goa.