



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/Ong. Proj.(427)/2019/275

Date: 20/03/2020

ORDER

This order decides the case of pending registration of real estate project named 'Temudo Mansion', 76/6-A, Xeldem, Quepem under Goa RERA, which was applied online on 30.03.2018.

- 2.1 The brief background of the case is that Shri. Shaikh Nawaz S/o Shaikh Abdul Mutalis, resident of flat No. 1, Shaikh Mansion, Pontemol, Curchorem, Goa has applied online for registration of real estate project on 30.03.2018. He has paid registration fee of Rs. 50,000 (Fifty thousand only) on 26.03.2018 through NEFT.
- 2.2 The then Regulatory Authority has rejected the application on the grounds of non-submission of information/documents pertaining to viz. Clear copy of approved plan with area statement; draft Agreement for sale; draft allotment letter; Affidavit; CA Certificate with Annexure; Sanad; Title Search Report; Title name of the project; etc.
- 2.3 The applicant again submitted application twice online for registration in the name and style of 'Temudo Mansion' on 12.01.2019 and 20.01.2020 respectively against the payment of fees earlier paid. The registration of the project could not be accorded by the Authority due to want of CA Certificate with Annexure-A; Affidavit with correct project name; date of completion; Title Report; etc.

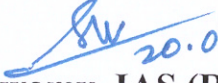
2.4 A notice was served upon the applicant for hearing on 09.01.2020 and 30.01.2020. The applicant failed to appear before the authority for hearing. Again notice was issued for hearing on 12.03.2020. The applicant Shri. Shaikh Nawaz and Shri. Vinayak Verekar (Civil Engineer) were present.

2.5 The applicant has clarified that due to ignorance of provisions of the Act and the Rule, they filed applications for the same project titled 'Temudo Mansion' thrice. The applicant was directed to submit the clear copies pertaining to the following: CA Certificate with Annexure-A, Affidavit with clause-3, Sanad, Title Search Report, Exact date of completion of the project, Copy of plan.

3. The applicant on 12.03.2020 has furnished copies of the above documents. The documents are taken on record. It is found that the project is coming up in the Survey No. 76/6-A of village Xeldem, Quepem Taluka is the property of Shri. Felix Vincente Temudo and his wife Smt. Anastasia Silvia Temudo, as per Title Search Report. Further, the applicant in his affidavit dated 14.01.2020 has stated that he entered into an Agreement for Development and Exchange dated 23.08.2017 with Shri. Felix Temudo Mansion and his wife for construction of the building project. The project Completion date is given as 01.04.2021.

4. The applicant has further clarified with regard to the status of project. It is a "Self financed project". The applicant in his online application dated 30.03.2018 disclosed it as 'New project launch'. The second online application dated 12.01.2019 indicated as 'ongoing'. The third online application dated 29.01.2020 is indicated as 'Completed'. However, he orally stated that the project has not yet received Completion Certificate (CC) and Occupancy Certificate (OC).

5. Therefore, on the strength of disclosure of the applicant, that the project is 'self financed' and it is a 'New launch' which is not yet received CC and OC and hence, it is treated as "newly launched ongoing project" and has not marketed as disclosed in Annexure-A of CA Certificate. I am of the opinion there appears no violation of provision of Section-3 of the Real Estate (Regulation and Development) Act, 2016.
6. In the light of above, the project is accorded Registration subject to the condition that the applicant should upload a copy of Agreement for Development and Exchange dated 23.08.2017 to the authority within 15 days, failing which, punitive action will be initiated as per provisions under the Real Estate (Regulation and Development) Act, 2016 & Rules. Till such period, the non submission of the above agreement shall be uploaded in the promoters page for information to the prospective buyers.


20.03.2020.
S. Kumaraswamy, IAS (Retd.)
Chairperson, Goa RERA

To,
Nawaz Shaikh,
Shaikh Chemist & Druggist,
Shop No. 3,
Shiv Kunj Building,
Curchorem-Goa. 403706