



## GOA REAL ESTATE REGULATORY AUTHORITY

101, 1<sup>st</sup> Floor, 'SPACES' Building, Plot No. 40, EDC Patto Plaza, Panaji 403 001 Goa

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Case No. 3/RERA/Complaint(454)/2024/ 899

Date: 10/06/2026

**1. Mr Tejashvi Shukla**

B-12/08, Gauriganj, Bhelupur, Chhitupur,  
Varanasi,  
Uttar Pradesh-INDIA 221010

**2. Mr Shreyashvi Shukla**

through attorney Mr. Tejashvi Shukla  
(Special Power of attorney dated 14 December 2024)  
101/64, Silver Oak Apartment,  
DLF Phase I, Chakarpur (74)  
Gurugram, Haryana  
India 122002

.....**Complainants**

V/s

**1. VLN Estates Pvt Ltd**

Office No 271 Plot No. 20  
Satra Plaza Co-op. Society,  
Sec 19 D Vashi, Navi Mumbai,  
Thane, Maharashtra, India, 400705

**Also at**

325, Kholpa Waddo,  
Canca Parra,  
Goa, 403510.

..... **Respondent No. 1**

**2. Akshay Chaudhry**

**Director**

Office No 271 Plot No. 20  
Satra Plaza Co-op. Society,  
Sec 19 D Vashi, Navi Mumbai,  
Thane, Maharashtra, India, 400705

..... **Respondent No. 2**

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10/06/26

**3. Neelam Nagpal**

**Director**

Office No 271 Plot No. 20  
Satra Plaza Co-op. Society,  
Sec 19 D Vashi, Navi Mumbai,  
Thane, Maharashtra, India, 400705

..... **Respondent No. 3**

**4. Neha Saxena Bagga**

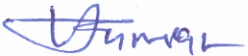
743 A, Sector 14,  
Industrial Estate Gurgaon,  
Haryana, 122007,  
Contact No. 9205955979

..... **Respondent No. 4**

**ORDER**

**(Dated 10.06.2026)**

1. By this order, I proceed to dispose off the Application dated 16/01/2026 filed by the complainant seeking further amendment of the complaint as amended in terms of order dated 29.09.2025 where by the third party to whom the subject property as disclosed by the Respondents in their reply, had been sold by the respondent No.1; was impleaded in the present mater as the respondent No.4 besides other amendments in the complaint.
2. The above referred miscellaneous application has been filed by the complainant in the ongoing proceedings being held in the context of a complaint filed under Section 31 read with Section 3,11(5), 13, 18, 59 and 61 of the Real Estate (Regulation and Development) Act, 2016 (the Act), alleging that the Allotment of the Complainants i.e. Unit No. 09 in the project "La LUCIANA" ('Subject Property') and an Allotment Letter dated 19.07.2024 issued in this regard by the Respondents have been illegally terminated by letter of termination/cancellation dated 19/11/2024 despite the fact that the Complainant has already made payment of more than 10% of the total consideration for the 'Subject Property' and as per Section 13 of the Act; payment exceeding 10% of the total consideration cannot be

  
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demanded without registration of agreement to sell in favour of allottee which had not been executed and registered so far in the present case.

3. The complainant claims that while filing the application for amendment dated 09<sup>th</sup> June 2025, it inadvertently used the word 'declaration' in prayer clause (A1) and hence the present application, whereby the amendment sought to be carried out to prayer clause (A1), is as follows: To delete the word "declaration" and to replace the same with words "an Order/Direction". Besides, the complainant has also prayed to array the Respondent No.4 namely Mrs. Neha Saxena Bagga, in the cause title of the complaint and the application for interim relief. The complainant has further prayed to allow the application stating that the respondents are taking undue advantage of the use of word 'declaration' despite the complainant clarifying that the intention of the complainant was not to seek a declaration under the Specific Relief Act but an Order/Direction under the Act of 2016 and further that the respondent No.4 need to be allowed to be arrayed in the cause title of the complaint and also of the Application for interim relief as the same could not done earlier as the details of the respondent No.4 were made available to the complainant subsequently.
4. Per contra, the respondent has stated that the prayer of the complainant to delete the word "declaration" and replace the same with "Order/direction", cannot be allowed since this Authority has no powers to give order/direction that the sale of suit flat by Respondent No.4 is illegal or to set aside the Sale Deed executed between the Respondent No.1 to 4. Further, mere change of nomenclature from "declaration" to "Order/direction" makes no difference as this authority has no jurisdiction to grant the relief prayed against the Respondent No.4. The Respondent also opposed the prayer of the complainant seeking to array Respondent No.4 in the cause title of the application for interim relief since the suit villa has already been acquired by Respondent No.4 by registered

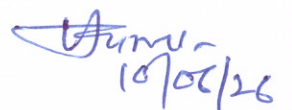
document by following due process of law and she is a bonafied purchaser who has paid full consideration towards the purchase of the subject property and had even executed the Agreement of Sale on 30.01.2025 with respect to the subject property. The Respondent No. 4 has further stated that the Agreement of Sale dated 30/01/2025 was executed even before ad-interim relief was granted to the complainant on 04/02/2025 and it is neither a necessary nor a proper party in the complaint under Section 31 of the Real Estate (Regulation and Development) Act, 2016 and in the above circumstances cannot be arrayed as Respondent No. 4 in the interim relief application.

5. The respondent in support of its submission has also cited the judgment dated 25.11.2025 of Hon'ble High Court of Bombay in Civil Revision Application No.606 of 2024 in the case titled **Sana Hospitality Services Private Ltd. V/s Madan Kishan Gurow and ors.** It is noted that the facts of the said case are somewhat different than the facts of the case in hand and also the present application is about seeking of amendment in the prayer clause of the complaint and no final decision on merits is contemplated at this stage. Due note of the observations of the Hon'ble High Court of Bombay would be taken when the issue involved is deliberated and decided on merits of the case.
6. In this regard, it would be expedient to refer to the observations made at para 22 of the order dated 29.09.2025 passed to dispose off the application dated 09.06.2025 filed by the complainant for amendment of the present complaint, it was observed as follows:

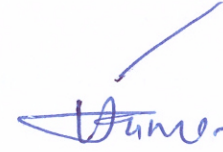
“With regard to the contention of the respondent that the additional relief of declaration sought by the complainant that the sale of the ‘subject property’ is illegal and to set aside the Sale Deed cannot be granted by this Authority under the Act; it is observed that Since the execution of the agreement of sale dated 30.01.2025 is admittedly consequent upon

termination/cancellation of the earlier allotment of the subject property to the complainants, the said subsequent event constitutes continuity of the cause of action. Further the complainant, during the arguments has also clarified that the declaration sought is in terms of direction from this Authority and not a declaration in terms of the provisions of specific relief Act. Further, the possibilities of grant of relief sought in the complaint dated 26.12.2024 i.e to revoke the termination/cancellation and restore the allotment of the said unit in favour of the complainants; cannot be ruled out at this stage. Thus the amendment in terms of seeking the said relief cannot be disallowed at this stage though the same would have to be in terms of the provisions of the Act in case the same is granted by this Authority.”

7. It would be evident from the above that the amendment sought by the complainant in terms of replacing the term “declaration” by “Order/direction” cannot be denied at this stage since the Authority while noting the submissions of the complainant that the word ‘Declaration’ sought was in terms of direction of the Authority and not a declaration in terms of the provisions of specific relief Act; vide order dated 29.09.2025; had already clarified the said relief in case the same is granted by this Authority; would in any case be in terms of the provisions of the Act. Thus in order to avoid any confusion, it would be expedient to grant the request of the complainant as to substitution of the word ‘declaration’ by ‘order/direction’ and also the prayer for arraying respondent No.4 in the cause title of the complaint and the application for interim relief as the record reveals the details of the respondent No.4 were submitted later to the complainant and also the same is only consequential to allowing the application of the complainant to implead the respondent No.4 to the present proceeding in terms of the order dated 29.09.2025.

  
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8. In view of what has been discussed herein above and since no apparent prejudice will be caused to the respondent, the present application seeking amendments as above, is allowed. The complainants are directed to carry out the requisite amendments in terms of the present order within 07 days i.e by 18.06.2026 following the required procedure and the matter is thereafter fixed on **22.06.2026 at 4.15 p.m.** for filing of the amended complaint by the complainant.

  
18/06/26

**Virendra Kumar, IAS(Retd.)**  
**Member, Goa RERA**