



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

F.No:4/RERA/Adj. Matters (84)/2022/44

Dated: 05/01/2024

**Preeti Desai,**

Sai Enclave, flat No. S-12, Second Floor,  
Orgao, Marcel, South-Goa, 403107.

.....Applicant

*Versus*

**Nagesh Patil,**

Shivani Builders and Developers,  
Prop: Mr. Nagesh Patil,  
Sai Encalve, Banastarim, Marcel Main Road,  
Opp. Indian Oil Petrol Pump,  
Orgao, Marcel, Ponda, South Goa, 403107.

.....Respondent

### **ORDER**

**(Delivered on this 5<sup>th</sup> day of the month of January, 2024)**

The present proceedings have arisen as a corollary to the complaint under Section 31 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as 'the RERA Act') filed by the applicant against the respondent bearing complaint no. 3/RERA/Complaint(315)/2022.

2. The applicant had filed an application dated 05.01.2023 for compensation claiming therein that the respondent had done terrace cement water proofing and that in case in future it starts leaking, she will reopen the issues. My predecessor allowed the applicant to keep the matter pending until further orders.

3. It is a matter of record that the notice was initially issued to the applicant and thereafter when she appeared, at her request, notice was issued to the respondent.
4. Both the applicant and the respondent appeared and submitted that they have settled the matter amicably between themselves and accordingly filed the consent terms, which are as follows:

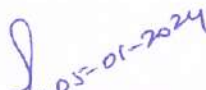
“1. There was an issue with regards to leakage of roof in Flat No. S-12, Second Floor, Sai Enclave, Urgao, Marcel, Goa. The said leakage issue has been rectified by the builder/respondent by putting a roof.

2. Both parties mutually agreed that if there is a structural defect noticed within five years by the allottee/applicant from the date of handing of the possession, the builder/respondent shall rectify the same within five years from the date of giving possession.

3. Both parties mutually agreed that if there is an issue with the building lift, the builder/respondent shall rectify the same within five years from the date of giving possession.”

5. I am satisfied that the parties have settled the matter amicably between themselves thereby putting to an end to the dispute raised by the applicant.

In view of above, the complaint stands disposed of as per the above consent terms. Proceedings closed.

  
(Vincent D'Silva)  
Adjudicating Officer,  
Goa RERA

Panaji, Goa.

Date: 05.01.2024.