



# GOA REAL ESTATE REGULATORY AUTHORITY

DEPARTMENT OF URBAN DEVELOPMENT

GOVERNMENT OF GOA

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

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No.3/RERA/Complaint (5)/2018/962

Date: 13/12/2022

**Ms. Deepti Agarwal,**

B-210, 3<sup>rd</sup> floor,

C.R. Park, Delhi,

South Delhi, 110019.

.....Complainant

*Versus*

**Isprava Vesta Private Limited,**

42 A, Impression House,

G D Ambedkar Marg, Kohinoor Mill,


Wadala, Mumbai City,

Maharashtra, 400031.

.....Respondent


## **ORDER**

**(Dated 13.12.2022)**

 Ms. Deepti Agarwal filed the complaint dated 09.05.2018 against 'Isprava Vesta Private Limited' (hereinafter referred as 'promoter') for non-registration of its project "Casa Brava" as per Section 3 of The Real Estate (Regulation and Development) Act 2016 (hereinafter referred to as 'the RERA Act'). A notice dated 06.07.2018 was issued to the promoter by Goa RERA calling for reply within 10 days. The promoter filed the reply dated 13.07.2018

wherein the charges levelled against the promoter were denied. Again, by a notice dated 09.09.2022, the promoter was directed to furnish the details of the property. An opportunity of hearing was given to the promoter on 27.10.2022 and 07.12.2022. The respondent/promoter has further filed its reply dated 30.11.2022. On 07.12.2022 the day fixed for hearing, it was stated by the promoter that he has nothing to add more.

2. It is the case of the promoter/respondent that the said project “Casa Brava” does not require registration under the RERA Act as the completion certificate for the said project was issued on 26.11.2017 by the Town and Country Planning Department.
3. I have considered the case and gone through the provisions of Act and Rules. Provision in respect of registration of Real Estate Project has been incorporated under Section 3 of the RERA Act. The relevant portion of the said provision Section 3(1) is as follows:-



**“3. Prior registration of real estate projects with Real Estate Regulatory Authority.-**

(1) No promoter shall advertise, market, book, sell or offer for sale, or invite persons to purchase in any manner any plot, apartment or building, as the case may be, in any real estate project or part of it, in any planning area, without registering the

real estate project with the Real Estate Regulatory Authority established under this Act:


Provided that projects that are ongoing on the date of commencement of this Act and for which the completion certificate has not been issued, the promoter shall make an application to the Authority for registration of the said project within a period of three months from the date of commencement of this Act:"

4. Para 2 of the above mentioned section 3(1) is related with the registration of ongoing projects. As per this, the projects that were ongoing before commencement of the Act and for which Completion Certificate was not issued, were coming under the category which require registration. This section 3 came in force on 01.05.2017. However, in Goa, Rules were framed only on 24.11.2017 and Interim Authority was established after that. Interim Authority by Order No. 11/35/2017-DMA dated 23.02.2018 prescribed 23.03.2018 as the last date for filing application for ingoing Real Estate Projects. Therefore, 23.03.2018 has been determined as cut-off date for the applicability of the Act in respect of ongoing projects. Since, in this particular case 'completion certificate' was obtained on 26.11.2017 i.e. prior to 23.03.2018, Section 3 of the

RERA Act is not attracted. And hence, no registration under RERA Act is required.

5. Since, no registration under RERA Act is required in this case, further proceedings are dropped and complaint dated 09.05.2018 is rejected.

Order accordingly,



**J. B. Singh, IAS(Retd.)**  
Member, Goa RERA

To,

1. **Ms. Deepti Agarwal,**  
B-210, 3<sup>rd</sup> floor,  
C.R. Park, Delhi,  
South Delhi, 110019.

2. **Isprava Vesta Private Limited,**  
42 A, Impression House,  
G D Ambedkar Marg, Kohinoor Mill,  
Wadala, Mumbai City,  
Maharashtra, 400031.