



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

No.3/RERA/Complaint (109)/2020 / 39

Date: 13/01/2022

Francis Lemos and Josephina Lemos,

C/302, Poonam Residency,

Holy Cross Road Extn,

IC Colony, Borivali West,

Mumbai Suburban Maharashtra, 400103

..... **Complainant**

V/s

A K Real Estate Developers,

Shop 8, Garden Center,

Opp. Police Station,

Mapusa-Goa, 403507.

..... **Respondent**

ORDER

This is to dispose of the complaint received online on 11/01/2020 against M/s A K Real Estate Developers for project 'AMETHYST' situated at Siolim, Bardez-Goa. The complainant Francis Lemos and Josephina Lemos are the allottees in the said project and they have booked 02 flats in the said project for consideration of Rs.62,50,000/- (Rupees Sixty Two Lakhs Fifty Thousand only). The possession of the flats were to be given within 18 months from the date of Agreement entered in December 2015. However, till now, they have not been delivered the possession of the same.

2. Notices were issued to both the parties in this case and the case was adjourned from time to time. During the course of hearing, it was stated by the parties that matter is amicably being settled. On 24/02/2021, Ld. Advocate for both the parties made a statement to this effect. The Roznama dated 24/02/2021 is as follows:

“Both the parties present. Respondent submitted application stating his internal dispute is over and he will complete the project in one year and handover the possession to Complainant. Ld. Advocate for Complainant stated the matter be kept for hearing after 03 months to see progress and then he will contest the case”.


On 26/10/2021, on the day of hearing both the parties were present and respondent submitted undertaking and copy was handed over to the complainant. Ld. Advocate for the complainant requested for time to seek instructions from his client who was in Mumbai.

3. On 12/01/2022, Ld. Advocate for the Complainant submitted an application dated 03/12/2021 stating that respondent has given him commitment to complete the project by 31/03/2022. The relevant portion of the application dated 03/12/2021 made by the complainant is as follows:

“1. This is to inform you that I have personally visited the site last month and the construction works is in good progress.
2. Mr. Vishnu Korgaonkar from A K Real Estate Developers has assured that the entire project will be completed by 31st March 2022.
3. Since the respondent has given a commitment to complete the entire project by 31st March 2022, I pray before the Hon’ble Court to pass necessary order in terms of the above said undertaking.”

4. I have considered the case. In this case, both the parties have been willing to settle the issues amicably. After going through the letter dated 26/10/2021 made by Ld. Advocate for respondent and letter dated 03/12/2021 made by the complainant, it becomes clear that respondent is willing to construct and hand over the possession of the premises in time bound manner by 31/03/2022 and the same is acceptable to the complainant. Hence, as per contents of these letters and submissions made by the parties, it seems dispute has been resolved. Accordingly, promoter/Respondent should complete the project by 31/03/2022 and hand over the possession of the premises to the complainant within the time limit.

Order accordingly,


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

To,
1. Francis Lemos and Josephina Lemos,
C/302, Poonam Residency,
Holy Cross Road Extn,
IC Colony, Borivali West,
Mumbai Suburban Maharashtra, 400103.

2. A K Real Estate Developers,
Shop 8, Garden Center,
Opp. Police Station, Mapusa-Goa, 403507.