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GOA REAL ESTATE REGULATORY AUTHORITY

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F.No: 3/RERA/New Proj.(1280)/2023/140

Date: 31/01/2024

Sub: In the matter of Registration of the Real Estate Project "B&F Whispering Glenz".

ORDER

(Date: 30/01/2024)

Whereas, RVJ Trading Private Limited, the promoter had applied for registration of the project 'B&F Whispering Glenz' under Section 3 of the Real Estate (Regulation and Development) Act, 2016 read with the Goa Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rates on interest and Disclosures on website) Rules 2017, vide an application submitted through online portal dated 27/11/2023.

2. Whereas scrutiny of the documents furnished by the applicant prima facie revealed certain deficiencies including inter alia as follows:-
 - (i) It was observed that the promoter (Land owner/ Investor) details, details of land owner ie. Mapusa Goa Enterprises is not furnished, instead details of promoter (R V J Trading Private Limited) is shown.
 - (ii) Affidavit uploaded was on Rs. 100/- stamp paper.
 - (iii) Project agent & contractor details not uploaded.
 - (iv) Draft agreement for Sale was not as per the Annexure – A under Rule 10(1).
3. Whereas, inquiry emails was sent on 01.12.2023 and a compliance reply was also received from the applicant on 02.12.2023.
4. Whereas, it was noted that copy of Sanad was in the name of M/s Mapusa Goa Enterprises, the title report dated 06.06.2023 uploaded also revealed that the ownership of land was in favour of M/s Mapusa Goa Enterprises. Also the agreement for development and sale dated 26.06.2023 contains clauses specifying that M/s Mapusa Goa Enterprises are sole owners of the property and upon


[Handwritten Signature]

completion of construction of the project and obtaining of occupancy certificate, the owners/first party M/s Mapusa Goa Enterprises shall convey to developers /its assignee or the ultimate buyers the applicable extent of rights/ shares. The development permission as well as construction license were also in the name of M/s Mapusa Goa Enterprises. However, the applicant had mentioned “RVJ Trading Pvt. Ltd.” in the column meant for Promoter (Land Owner/Investor) Details.

5. Whereas, a notice was issued to Mr. Vinaykumar Vinayak Fulari, RVJ Trading Private Limited, seeking clarification on these aspects for taking a view as to registration of project ‘B&F Whispering Glenz’.
6. Whereas, the documents furnished for registration of project ‘B&F Whispering Glenz’ and also the reply to the notice dated 28.12.2023 submitted by RVJ Trading Private Limited reveals that M/s Mapusa Goa Enterprises and RVJ Trading Private Limited vide Agreement of Development and Sale dated 26.06.2023 have agreed to jointly develop the property in question which is proposed to be registered as ‘B&F Whispering Glenz’.
7. Whereas in view of the provisions as contained in Section 2(zk) of the RERA Act (Definition of ‘Promoter’), both the parties M/s Mapusa Goa Enterprises and RVJ Trading Private Limited squarely fall within the definition of the term ‘Promoter’ and would be jointly liable for the functions and liabilities specified in the Act; it was thus felt expedient to provide an opportunity to M/s Mapusa Goa Enterprises for its say in the matter.
8. Whereas, M/s Mapusa Goa Enterprises and RVJ Trading Private Limited (landowners and Developers) have now jointly submitted that “ The development “B&F Whispering Glenz” be registered jointly and the landowners and developers be co-promoters in view of the provision as contained in Section 2 (zk) of the RERA Act (definition of promoter), as both parties M/s Mapusa Goa Enterprises and RVJ Trading Private Limited fall within the definition of the term promoter and would be jointly liable for the functions and liabilities in the said Act”.
9. Whereas the issue raised vide Notices dated 28/12/2023 and 15/01/2024 have been adequately responded to /resolved by noticees and in view of the above stated position, Technical Section is hereby directed to process the matter further



and place it before the Authority for consideration of grant of registration of the project 'B&F Whispering Glenz' under Section 3 of the Real Estate (Regulation and Development) Act, 2016 read with the Goa Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rates on interest and Disclosures on website) Rules 2017.


Shri Verendra Kumar, IAS (Retd)
Member , Goa RERA

To,

- 1) **Mr. Vinaykumar Vinayak Fulari**
RVJ Trading Private Limited
303/304, B&F Habitat Bldg,
3rd Floor , Canca Parra Bypass Road,
Khorlim Xim, Mapusa – 403507

- 2) **Mr. Anirudh Garg**
Partner of Mapusa Goa Enterprises
Thanee Heights, B Wing,
Nepean Sea Road, Mumbai- 400006

Copy To:

Technical Section (For necessary Action)