



GOA REAL ESTATE REGULATORY AUTHORITY

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

FN: 3/RERA/New Proj (1248)/2023/1231

Date: 16/09/2025

Sub.: in the matter of the online application dated 28/02/2024 filed by the promoter/applicant M/s Aqaab Reality Private Limited under Section 6 of the Real Estate (Regulation and Development) Act, 2016, seeking extension of registration of the real estate project "Alaya Phase-I" from 31.12.2027 to 31.12.2028.

ORDER

(Dated 16.09.2025)

1. This order disposes off the online application dated 28/02/2024 filed by the promoter/applicant M/s Aqaab Reality Private Limited under Section 6 of the Real Estate (Regulation and Development) Act, 2016, seeking extension of registration of the real estate project "Alaya Phase-I" (herein after referred to as 'the said project') from 31.12.2027 to 31.12.2028 interalia stating that the same was necessitated due to an intended change in the building details of the said project from Villa-Blocks to residential buildings consisting of apartments of various sizes resulting in an increase in the developable area whereby the promoter /applicant was required to obtain Environmental Clearance (EC) before commencing construction activities on the site and the same was likely to delay the commencement of construction of the said project by one year. Pertinently, the promoter/applicant was granted registration certificate of the said project by this Authority for the period 07.09.2023 to 31.12.2027.

[Signature]
16/09/25

2. Upon consideration of the said online application dated 28.02.2024, the promoter/applicant was informed by this Authority vide letter dated 23.04.2024 that the extension of the project Alaya Phase- I proposed in Survey No. 207/2 of Village Candolim, Taluka Bardez for one year beyond 31.12.2027 cannot be considered at this stage and the promoter/applicant may apply three months prior to the expiry of the validity period. Aggrieved by the said communication/order, the promoter/applicant filed a Writ Petition No. 640/2024 (Ms Aqaab Reality Private Limited Vs State of Goa and anr) challenging the order dated 23.04.2024 passed by the Goa Real Estate Authority. The Hon'ble High Court of Bombay at Goa vide its order dated 18.09.2024 was pleased to quash the impugned order dated 23.04.2024 and further remanded the matter to Goa RERA Authority for deciding the application afresh by giving an opportunity of personal hearing to the petitioner.
3. Pursuant thereto, the applicant vide notice dated 26/09/2024 was given an opportunity to file additional submission if any on or before 10.10.2024 and also of personal hearing on 10.10.2024 at 4.00pm. for deciding the application for extension of project 'Alaya Phase I' afresh. The matter was thereafter scheduled for hearing on several dates as per the request and convenience of Ld. Counsel for the promoter/applicant.
4. Promoter/applicant during the proceedings submitted written submissions stating that the registration for the said project at the time of submitting online application was sought until 31st December 2027, as the said date of completion of the construction of the project was contemplated in respect of the Development of the said projects as 'Villa Blocks and only on account of the subsequent change in the circumstances whereby instead of the 'Villa Blocks', residential buildings consisting of apartments of various sizes were planned on account of the feasible


16/09/25

conditions in the context of the available FSI / FAR; the extension of registration of the said project for one year beyond 31.12.2027 was sought. It was further stated that on account of the said change in building details of the project and revision in the developable area, the promoter/applicant as the project proponent was required to procure Environmental Clearance in terms of Memorandum bearing S.O.1533 (E) dated 14/09/2006 issued by the Ministry of Environment and Forests, by which all projects exceeding the developable area of 20,000 square meters are required to mandatorily procure Environmental Clearance in terms of law, prior in point of time to the starting of the construction activities on the said plot of land.

5. It was further stated that the promoter/applicant has already applied for grant of the requisite Environmental Clearance by the Ministry of Environment and that the Environmental Impact Assessment Authority has already conducted the requisite Inspection. Accordingly, the application for Environmental Clearance of the Respondent is under consideration. It was also stated that the promoter/applicant cannot start the construction activities without procuring the said permission in terms of law and as such the promoter/applicant may not be in a position to adhere to the original stipulated date for completion of the project which has been fixed on 31st December 2027 and thus prayed for extension of validity of registration of the said project for further period of one year beyond 31.12.2027. It was also interalia stated that the promoter/applicant has not till date entered into any third-party agreements with any prospective buyers.
6. The promoter/applicant also stated that it has prima facie indicated of the existence of reasonable circumstances whereby the project would be delayed by the reason of the requirement to procure Environmental Clearance for the project and since no third-party rights have been created till date by the promoter/applicant, the grant of

Amal
16/05/25

such extension of registration as prayed for would not result in the causing of any remote prejudice to any of the parties. It was also stated that the promoter/applicant has in the past consistently adhered to the timeline scheduled for the construction and completion of the project and to ensure delivery of possession of the project to prospective allottees / buyers well within time and the non-delivery of the project prior to the scheduled date of delivery would adversely affect the reputation and goodwill of the Respondent which the Respondent company holds in high esteem and further prayed for extension of registration of the real estate project "Alaya Phase-I" from 31.12.2027 to 31.12.2028.

7. The promoter/applicant though sought few adjournments for advancing the arguments on his application for seeking extension of the validity of registration of the said project; however, it finally submitted application for withdrawal of his earlier online request dated 28.02.2024 for extension of registration of the said project, stating that the Ministry of Environment, Forest and Climate Change (MoEF&CC) has rejected the Environmental Clearance application filed by the Applicant for the said project and due to the rejection of Environmental Clearance, the Applicant is unable to proceed further with the proposed apartment-style project as planned and is currently reassessing the feasibility and future course of action for the said project. The promoter/applicant also placed on record a copy of the rejection of the Environmental clearance by Goa State Environment Impact Assessment Authority vide their letter No.172/3/2024-25/GSEIAA/Project-Prop/74 dated 27.06.2025 in this regard. It was further submitted that in the light of the above developments and as construction activities cannot commence in the absence of a valid EC, the very basis and purpose for seeking an extension of registration vide application dated 28.02.2024 does not survive and thus prayed for withdrawal of its application dated 28.02.2024 for extension of registration for one year beyond 31.12.2027.

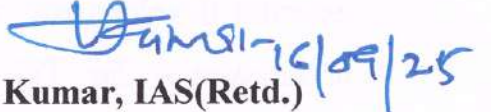
8. It is noted that the promoter/applicant in its application as well as in other submissions has stated that it has not undertaken any construction work of the project as the environmental clearance and revised sanctioned plan and permissions were awaited. The same also gets corroborated from the records of the Authority as the annual report on statement of accounts for the year 2023-2024 and the quarterly project report dated 19.08.2025 both in respect of building as well as external development; reveal that no construction work of the project has been undertaken so far. This is further substantiated by architect certificate in form 1 dated 19.08.2025 which also reports percentage of work done as 0%.

9. In view of above, the online application dated 28.02.2024 filed by the promoter/applicant M/s Aqaab Reality Private Limited under Section 6 of the Real Estate (Regulation and Development) Act, 2016 seeking extension of registration of the real estate project 'Alaya Phase-I' from 31.12.2027 to 31.12.2028, is hereby dismissed as withdrawn.

10. The applicant while withdrawing the online application dated 28.02.2024 seeking extension of registration of the real estate project 'Alaya Phase-I' from 31.12.2027 to 31.12.2028, has himself stated that the Applicant is unable to proceed further with the proposed apartment-style project as planned and is currently reassessing the feasibility and future course of action for the said project. The record of the Authority reveals that the promoter/applicant has not submitted any modified/revised building plans, so far. Thus, the Authority records needs to be updated in this regard by the technical section by seeking the requisite information from the promoter. Secretary of the Authority may also write a letter to the Village Panchayat Candolim to ascertain the status of the construction of the project and also to North Goa Planning and Development Authority to ascertain the status of the Development permission granted vide No. NGPDA/CAN/44/325/1308/2022 dated 20.09.2022 as to whether the said

Amal
16/09/25

development permission survives despite the rejection of the Environmental clearance by Goa State Environment Impact Assessment Authority vide their letter No.172/3/2024-25/GSEIAA/Project-Prop/74 dated 27.06.2025 or any further modified/revised plan were approved/applied for the said project. Upon receipt of the requisite information, the matter may be placed immediately before Authority for appraisal/ appropriate directions.


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

To,
M/s Aqaab Realty Private Limited,
Shop no. 7C, Ground floor,
H P Mansion, 70-72, Narayan Dhuru Street,
Mumbai, Maharashtra, 400003.