



GOA REAL ESTATE REGULATORY AUTHORITY

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F.No:3/RERA/NewProj(912)/2025/ **1006**

Date **05/08/2025**

ORDER

(Delivered on this 05 day of the month of August, 2025)

Sub: In the matter of Application for “deregistration”/”withdrawal” of the project “The Bay View” application dated 23/01/2025

1A. Briefly stated, the case of “deregistration”/withdrawal” as follows:-

(a) An application had been filed by M/s DLF EXCLUSIVE FLOORS PRIVATE LIMITED and Bhamini Real Estate Developers Private Limited, seeking de-registration/withdrawal dated 23/01/2025 of their project “The Bay View” granted registration No. PRGO04221606 on 20/04/2022 and having a validity of upto 31/03/2027; and,

(b) The other, application dated 28/01/2025 was filed for registration of a new project, with same/similar name and style i.e “The Bayview”, with changed parameters in terms of promoter details, land area, units to be constructed etc.

1B. This order will dispose the application at 1(a)above.

“de-registration or withdrawal” of RERA registration no. PRGO04221606 for project named “The Bay View”.

1) The key/material facts with regards to the registration no. PRGO04221606 are summarized for ready reference, as follows:

(i) Application dated- 30/03/2022 containing project name 'The Bay View'.

(ii) Registration granted - 20/04/2022

(iii) Validity of registration- 31/03/2027

(iv) Promoter- M/s DLF EXCLUSIVE FLOORS PRIVATE LIMITED & Bhamini Real Estate Developers Private Limited

(v) Area - 106346 sq.mts.

(vi) Total no.of units -84 villas.

(vii) Cost of project- 4438684028

(viii) Technical clearance order no. TPBZ/682/RM/TCP-2022/1575, dt. 25/03/2022 valid upto 16/05/2025.

(ix) Construction license no.VP/RM/Const/31/2019-20/1648, dt. 02/03/2020 valid upto 01/03/2023.

2) The reason for withdrawal, interalia, on account of new planning, conceptualization of the project and changes in its business requirements. In support of this application, i.e "de registration"/ "withdrawal" the following further documents/facts have been submitted/certified on Affidavit:

- (a) There are no allottees or any third party rights created on the project/project land and that there are no encumbrances/mortgages.
- (b) There are no orders passed under any Court/Tribunal or Quasi judicial Authority. No pending case before any Court/NCLT/or any authorised body.
- (c) Details of work under taken and cost incurred for the project.
- (d) Confirmation that no litigation or encumbrances/mortgages exist in the said project.
- (e) The “new” Technical clearance order no. BZ/682/RM/TCP-2024/10250 dt. 06/12/2024 and Construction license no. VP/RM/F-65/2024-2025/1284 dt. 03/01/2025 which becomes the basis of a fresh registration.
- (f) Reliance placed on Goa RERA SOP dated 27/01/2023.

3) In response to a query from Goa RERA that “de registration” of a registered project does not find an explicit mention in RERA Act or Rules, and, at best Section 7 provides for “Revocation of registration”, and Section 8 provides for a “lapse” of a registration, both not congruous to the present facts. Section 14(2)(1) provides for modification of any minor additions or alterations.

4) In response, the applicant submitted:

- (a) 3 rulings of Maharashtra RERA wherein “de registration” has been granted. [The Maha RERA order dt. 31/07/2024

case no.259 of 2023, order dt. 31/07/2024 case no. 261 of 2023 and order dt. 08/08/2024, regulatory case no. 262 of 2023].

(b) Pointed out the precedent cases of Goa RERA, where “cancellation” of projects had been permitted.

5) With regards to para 4(b), record reflects that in previous cases where Goa RERA has “cancelled” registration on request of the promoter. The reasons, interalia, vary from Covid circumstances, cancelled TCP permission, death of the promoter and business consideration. The basic reasoning in permitting such a request is contained in the 3rd Authority meeting of Goa RERA held on 15/01/2020. wherein with regards to project registration no. PRGO06180250, it was decided as under:

“The applicant has voluntarily decided not to sell the project, it may be construed that the project is not a Real Estate Project and therefore is out of ambit of RERA. However, since the project is already registered under Goa RERA the authority decided to treat it as cancelled but the registration fee is non-refundable. A letter issued to the promoter in this regard with the direction to seek prior registration of the project, incase if it is proposed for marketing. The status of the project be uploaded with in the webpage of the promoter on RERA website”.

6) Thereafter, SOP to this effect was issued on 27/01/2023. It is further noted, that in the followup of the decision, on the RERA webpage of the project, a scroll was to be shown as “Project cancelled” and, on the Goa RERA website, a separate category title ‘Projects Cancelled’, was created with list of cancelled projects.

7) With regards to Para 4(a), the, cited 3 rulings of Maharashtra RERA, cumulatively rely on the preamble of the RERA Act & Section 5 and generally are congruous to Goa RERA reasoning. However, based on same “de-registration” was permitted. In order dt. 31/07/2024 case no.259 of 2023, it was reasoned that,

“The intent thus mandates the Authority to ensure that the project remains complaint and the home buyers/allottees receive their premises. Hence the legislation is to ensure delivery of the premises to the home buyers/allottees. This is a beneficial legislation where a tangible asset needs to move from the Promoter/Developer to the home buyer/allottee in a manner as laid out under the said Act. The legislation is not for providing project registration numbers which do not lead to homebuyers/allottees receiving tangible assets. The Authority needs to make it clear here that a project registration number once given to a project, the project must then proceed and take a course as defined in the said Act and finally tangible premises get delivered to the home buyers/allottees. The grant of a project registration number is not a hypothetical exercise for complying with certain statistical purpose”.

“It can thus be concluded that in the event the Authority finds that a project registration number which has been granted to a

project is not likely to be completed the Authority is bound to take cognizance of the same and take such actions as may be necessary to bring the project to a conclusion. As the Authority is mandated to exercise oversight once a project registration number is given till the date it is successfully completed it is also for the Authority to take a call when it becomes apparent that the project is not likely to move further”.

“In the present case the intent to complete itself is not there anymore. There could be various reasons for the same. The Authority has no reason nor a mandate to delve into why the intent to complete has evaporated. The Authority has however to ensure that while there is no intent to complete the same is not driven by an intent to shortchange home buyers/allottees. Whereas allottees have been taken care of and their interest are not jeopardised anymore the Authority sees no reason to deny a deregistration when sought for”.

8) Thus, the Maha RERA rulings appear to have read “de-registration” as not a “penal” exercise but based on loss of interest to carry forward the purpose of registration and not affecting the rights of third parties, specifically the consumers/public at large. To this end, the above cited decisions of Maha RERA proceeded after a “public notice” of the proposed “de-registration” was issued and, no objections were received.

9) Relying on the above material, Goa RERA initiated the following procedural steps:

(a) Public notice dated 04/07/2025 in 3 news papers specifying “Any person/legal entity having any objection to the withdrawal/de-registration of the real estate project as mentioned above, is hereby called upon to submit their objections within 15 days from the date of publication of this notice”. It may be noted that this procedure was not adopted previously by Goa RERA for cases of cancellation.

(b) To avoid statutory domain confusion between RERA and other public authorities, specific queries to Town and Country Planning department dt. 03/07/2025 seeking clarification of whether previous permission have been superseded, were sent.

(c) Further the promoter was asked interalia, to provide a conspectus of the activities undertaken qua the project so far, specifically, giving the details of the physical work done of the project, including external development carried out by the promoter till date and the expenditure incurred for the purpose, land dispute or litigations, notices received or objections raised by any authority, including the NGPDA and Reis magos village panchayat, Bank or Financial institutions, courts, NCLT, etc.

10) The Town and Country Planning department vide letter dt. 24/07/2025 has clarified as under: “the TCP order issued vide no. TPBZ/682/RM/TCP-2024/8080 dt. 30/09/2024 to be treated as fresh approval”. This indicating that previous orders are superseded.


- 11) No objections have been received by Goa RERA from any member of the public in response to the public notice as above.
- 12) The further affidavit provided by the promoter confirmed, that there are no disputes challenging the title of the promoter regarding the project land, no stay has been granted by any judicial or quasi-judicial body for the project or project land and no such body has taken any coercive action against the promoter or its project or the project land. That the promoter has not received any booking amount or any other amount in the designated separate RERA bank account on account of sale of the project and has also submitted a certificate from CA to the same effect in support of its statement. Besides, the Quarterly progress report updated on the webportal reveals that 10% Excavation work, 2% Super structure slab work and 38% of Internal roads and footpaths work is done in the project.
- 13) Accordingly, the material on record, is sufficient to satisfy that no adverse impact is “conceivable” to any allottees or other party/person, in allowing the application for i.e “de-registration” or “withdrawal” of the project named “The Bay View” and bearing Goa RERA registration no. PRGO04221606. The said approval should operate to cancel/eclipse all prior granted RERA enablements, specifically having a statutory nexus to the registration no. PRGO04221606. As the applicant has used “de registration”

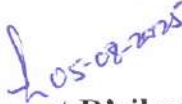
and “withdrawal” inter changeably (also mentioned in Public notice dt 04/07/2025), to align with previous Goa RERA decisions, the defining nomenclature of the decision would be “Cancelled”/ “Cancellation” is being permitted with the conditions that :


- (a) The immediate deactivation of the key/statutory parameters having nexus with the Registration no. PRGO04221606, i.e name and the project account no. 000705052975. (which also bears the name of “M/s DLF EXCLUSIVE FLOORS PRIVATE LIMITED- THE BAY VIEW”).
- (b) Accordingly, the applicant should close the project Account.
- (c) As during the pendency of the Registration No. PRGO04221606, some land development activity of approximately Rs. 258 crore was informed, an undertaking to be given for continual liability of the promoters, in case, any claim/cause of action arises from the same, in the future.
- (d) For (b) & (c) above, confirmation & document must reach (Goa RERA by 12/08/2025)
- (e) The Registration fees for registration no. PRGO04221606 stands forfeited.
- (f) Application for new registration, which has been submitted on 28/01/2025 will be examined on its own merit and not be viewed as a continuation of previous registration. This is essential as it distinguishes ‘cancellation’ from

‘modification’ as provided for under Section 14(2)(1) of the Real estate (Regulation & Development) Act, 2016.

- 14) The above decision is underwritten by a detailed assessment that, no consumer or public right is getting effected by such a decision. That, no provision of the RERA Act/Rules/Regulations are being violated. That, no residual domain confusion is lingering between action of RERA and of the other statutory authorities such as TCP, etc. That, the decision in its core will always be available in the public domain via Goa RERA website. That, all the parameters which were the markers/identifiers of the subject matter project for public objection in the advertisement dated 04/07/2025 have been accounted for. That, it is broadly consistent with Goa RERA previous decisions and SOP.


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