



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

F.No. 3/RERA/Comp.Proj.(434)/2019/124

Date: 29/08/2019

ORDER

Whereas, **Commonwealth Developers Pvt.Ltd.,** Promoter of the proposed project '**CD DIVA Block 'F'**' , in CH.1 P.T. S. no. 159, Margao, Salcete Goa applied for registration of aforesaid project with the Real Estate Regulatory Authority, Goa under section 3 of the Real Estate (Regulation and Development) Act 2016 read with Goa Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rates of interest and Disclosures on websites) Rules, 2017 vide their application submitted through online portal dated **23rd January, 2019;**

And whereas, as per section 3 of the Act read with Rules made there under, the Promoter was required to apply for registration of on-going project on or before **23rd March 2018;**

And whereas, as per Section 59 (1) if any promoter contravenes the provisions of section 3, he shall be liable to a penalty which may extend up to ten per cent of the estimated cost of the real estate project as determined by the Authority.

And whereas, the Hon'ble High Court of Bombay at Goa in P.I.L No. 18 of 2017 and Order dated 25/09/2018 has reiterated that penalty levied should be based on estimated cost of the real estate project;

And whereas, the Promoter/Applicant was therefore directed to showcase vide Notice No.F.No.3/RERA/comp.Proj.(434)/2019/34 dated 17/5/2019, as to why penalty under Section 59(1) of the Act which may extend upto 10% of the estimated cost of the real estate project should not be levied on him for violating section 3 of the Act read with Rules made thereunder and also to remain present



before the Interim Authority for a hearing in the said matter on 29/5/2019 at 11:15 a.m.


And whereas, since the Interim Authority who had heard the matter on 29/5/2019 retired on Superannuation, the Applicant/Promoter was once again vide Notice No.Case No.3/RERA/Comp.Proj. (434)/2019/117 dated 21/8/2019 directed to be present for a personal hearing on 23/8/2019 at 5:00 p.m. before the undersigned Interim Authority.

And whereas, I have heard the Applicant/ Promoter in detail wherein the Applicant/Promoter has submitted that he had intimated to this Authority that all his other blocks i.e. A, B, C, D, E blocks were completed in time and with respect to 'F' block, the delay was due to delay in issue of Completion Certificate by the SGPDA and the said delay in Registration on his part was un-intentional.

Now therefore, I find the reply given by the Applicant/Promoter to be satisfactory and therefore condone the delay and order that the project be granted registration.

Given under my hand on this 28th day of August, 2019.




(Daulat Hawaldar, IAS)
Interim Authority Goa RERA

To: Shri. Damodar alias Chirag Datta Naik,
Commonwealth Developers Pvt Ltd.;
CD Fountainhead,
Murida, Fatorda
Salcete Goa.