



## GOA REAL ESTATE REGULATORY AUTHORITY

101, 1<sup>st</sup> 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

F.No:3/RERA/Complaint (426)/2024/ 420

Date 04/04/2025

### (BEFORE THE MEMBER, SHRI VINCENT D'SILVA)

#### **Gera Realty Estates**

Represented through its authorized signatory

Mr. Dwarkanath Rao

Having its registered office at 200, Gera Plaza,  
Boat Club Road, Pune-Maharashtra, 411001.

.....Complainant

#### *Versus*

#### **Ms. Rupa Raikar,**

Flat no. 101, Building no. 14,  
Nova Cidade, Behind Hotel Orion,  
Alto Porvorim, Bardez, Goa-403501.

.....Respondent

Advocate Abhijeet A. Kamat present for the complainant.

Respondent present in person.

### **ORDER**

**(Delivered on this 4<sup>th</sup> day of the month of April, 2025)**

This order shall dispose of the application filed by the respondent for closing of the case.

2. Briefly stated, the case of the respondent is as follows:

That the respondent had entered into an agreement with respect to Villa no. C-156 in the Project 'Gera's River of Joy' with the respondent. The respondent has

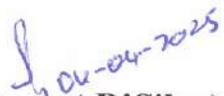
made payments to the complainant totaling ₹1,17,48,089/-. Copy of the statement of account as on 28.03.2025 is produced on record including TDS and GST. Ld. Advocate Abhijeet A. Kamat for the complainant made an endorsement that the complainant has received the amount as shown in the statement, except the interest which is yet to be paid. Copy of a Memo of payment is also produced on record by the complainant.

3. Admittedly, the complainant had filed the aforesaid complaint seeking direction to the Registrar to cancel the registration of the Articles of Agreement dated 03.05.2019 executed between the complainant and the respondent on the ground that the complainant had terminated the said agreement for sale, by notice of termination dated 02.11.2021 on account of non-payment of the agreement consideration and interest by the respondent within the time stipulated as per the agreement. It is a matter of record that the respondent made the aforesaid payments to the complainant during the course of the proceedings and consequently, due to novation, the agreement for sale dated 03.05.2019 is treated as valid and subsisting and the termination notice dated 02.11.2021 as infructuous. It is therefore nothing survives in the present proceedings.

4. In view of above, I pass the following:-

**ORDER**

The complaint stands disposed of as infructuous.

  
(Vincent D'Silva)  
Member, Goa RERA

Panaji, Goa.  
Date: 04.04.2025