

The Adjudicating Officer(Goa RERA) in **Spancer Xavier Fernandes V/s M/s Expat Projects and Development Pvt. Ltd** ,in Adjudication case number **4/RERA/Adj.matters(70)/2022** ,vide order dated 19/05/2023 has passed the following order:-

“The respondent/ promoter is directed to pay the applicant/ complainant compensation of Rs. 13,10,502.55/- (Rupees Thirteen Lakhs Ten Thousand Five Hundred Two and Fifty Five Paisa only) for violation under Section 18 read with Section 71 and 72 of the Real Estate (Regulation and Development) Act, 2016 within 30 (thirty) days of this Order.

In default, the respondent/ promoter shall be further liable to pay the applicant/ complainant interest on the said amount of Rs. 13,10,502.55/- (Rupees Thirteen Lakhs Ten Thousand Five Hundred Two and Fifty Five Paisa only) @ 10.70% p.a. till the date of payment/ realization.”

Since the Respondent/Promoter has not complied with the order, the case has been referred to the Collector (North Goa) for recovery of compensation with interest as arrears of Land Revenue. The execution of order is pending before the revenue officer.

The Adjudicating Officer(Goa RERA) in **Jessica Arun Naidu & another V/s M/s Expat Projects and Development Pvt. Ltd** , in Adjudication case number **4/RERA/Adj.matters(71)/2022** ,vide order dated 19/05/2023 has passed the following order:-

“The respondent/ promoter is directed to pay the applicants/ complainants compensation of Rs.15,39,662/- (Rupees Fifteen Lakhs Thirty Nine Thousand Six Hundred and Sixty Two only) for violation under Section 18 read with Section 71 and 72 of the Real Estate (Regulation and Development) Act, 2016 within 30 (thirty) days of this Order.

In default, the respondent/ promoter shall be further liable to pay the applicants/ complainants interest on the said amount of Rs.15,39,662/- (Rupees Fifteen Lakhs Thirty Nine Thousand Six Hundred and Sixty Two only) @ 10.70% p.a. till the date of payment/ realization.”

Since the Respondent/Promoter has not complied with the order, the case has been referred to the Collector (North Goa) for recovery of compensation with interest as arrears of Land Revenue. The execution of order is pending before the revenue officer.

The Adjudicating Officer(Goa RERA) in **Francis Rebello & another V/s M/s Expat Projects and Development Pvt. Ltd** , in Adjudication case number **4/RERA/Adj.matters(72)/2022** ,vide order dated 19/05/2023 has passed the following order:-

“The respondent/ promoter is directed to pay the applicants/ complainants compensation of Rs.8,30,466/- (Rupees Eight Lakhs Thirty Thousand Four Hundred and Sixty Six only) for violation under Section 18 read with Section 71 and 72 of the Real Estate (Regulation and Development) Act, 2016 within 30 (thirty) days of this Order.

In default, the respondent/ promoter shall be further liable to pay the applicants/ complainants interest on the said amount of Rs. 8,30,466/- (Rupees Eight Lakhs Thirty Thousand Four Hundred and Sixty Six only) @ 10.70% p.a. till the date of payment/ realization.”

Since the Respondent/Promoter has not complied with the order, the case has been referred to the Collector (North Goa) for recovery of compensation with interest as arrears of Land Revenue. The execution of order is pending before the revenue officer.

The Adjudicating Officer(Goa RERA) in **Paul Navel Remigio Fernandes V/s M/s Expat Projects and Development Pvt. Ltd** , in Adjudication case number **4/RERA/Adj.matters(73)/2022** ,vide order dated 19/05/2023 has passed the following order:-

“The respondent/ promoter is directed to pay the applicants/ complainants compensation of Rs. 13,00,322.55/- (Rupees Thirteen Lakhs Three Hundred Twenty Two and Fifty Five Paisa only)for violation under Section 18 read with Section 71 and 72 of the Real Estate (Regulation and Development) Act, 2016 within 30 (thirty) days of this Order.

In default, the respondent/ promoter shall be further liable to pay the applicants/ complainants interest on the said amount of Rs. 13,00,322.55/- (Rupees Thirteen Lakhs Three Hundred Twenty Two and Fifty Five Paisa only)@ 10.70% p.a. till the date of payment/ realization.”

Since the Respondent/Promoter has not complied with the order, the case has been referred to the Collector (North Goa) for recovery of compensation with interest as arrears of Land Revenue. The execution of order is pending before the revenue officer.

In complaint filed by Complainant **Shri Francis Rebello and Rosita Rebello v/s Expat Projects and Development Pvt. Ltd.** in case number F No: 3/RERA/ Complaint(272)/2021, The Authority has passed the following order dated 28/09/2022:-

The respondent is directed to refund the amount of ₹20, 13,463/- (Rupees Twenty Lakhs Thirteen Thousand Four Hundred Sixty Three only) to the complainants within two months from the date of this order.

Further the respondent is directed to pay 10.00 % per annum interest (present lending rate of interest by SBI which is 8.00 % per annum plus two percent) for every month of delay to the complainants on the aforesaid amount paid by the complainants from 30th June 2021 till the date of actual payment of the aforesaid refund.

Under Section 61 of the said Act, if any promoter contravenes any other provisions of the said Act, other than that provided under Section 3 or Section 4, or the Rules or Regulations made thereunder, he shall be liable to a penalty which may extend upto five percent of the estimated cost of the real estate project as determined by the Authority. In the instant case, the promoter has not discharged his obligations, responsibilities and functions as per the agreement for sale registered on 13.08.2018 and hence is liable to penalty under Section 61 of the said Act. Taking into consideration the facts and circumstances of the case, penalty of ₹1, 00,000/- (Rupees One Lakh only) will serve the ends of justice. Hence, the promoter/ the respondent is directed to pay the penalty of Rupees One Lakh within a period of two months from the date of this order. The said penalty amount, if realized by this Authority, be forfeited to the State Government. The respondent is directed to file compliance report of this order within two months, failing which further legal action will be taken by this Authority under the said Act for execution of this order.

Since the respondent/promoter i.e. Expat Projects and Development Pvt. Ltd., has not complied with the order and not paid the penalty, the case has been referred to the Collector, North Goa, for recovery as arrears of Land Revenue by vide letter dated 21/12/2022.

In complaint filed by Complainant **Mr. Spancer Xavier Fernandes v/s Expat Projects and Development Pvt. Ltd.** in case number F No: 3/RERA/ Complaint(270)/2021, The Authority has passed the following order dated 28/09/2022:-

The respondent is directed to refund the amount of ₹26, 63,375/- (Rupees Twenty Six Lakhs Sixty Three Thousand Three Hundred and Seventy Five only) to the complainant within two months from the date of this order.

Further the respondent is directed to pay 10.00 % per annum interest (present lending rate of interest by SBI which is 8.00 % per annum plus two percent) for every month of delay to the complainant on the aforesaid amount paid by the complainant from 30th June 2021 till the date of actual payment of the aforesaid refund.

Under Section 61 of the said Act, if any promoter contravenes any other provisions of the said Act, other than that provided under Section 3 or Section 4, or the Rules or Regulations made thereunder, he shall be liable to a penalty which may extend upto five percent of the estimated cost of the real estate project as determined by the Authority. In the instant case, the promoter has not discharged his obligations, responsibilities and functions as per the agreement for sale registered on 08.02.2019 and hence is liable to penalty under Section 61 of the said Act. Taking into consideration the facts and circumstances of the case, penalty of ₹1,00,000/- (Rupees One Lakh only) will serve the ends of justice. Hence, the promoter/ the respondent is directed to pay the penalty of Rupees One Lakh within a period of two months from the date of this order. The said penalty amount, if realized by this Authority, be forfeited to the State Government. The respondent is directed to file compliance report of this order within two months, failing which further legal action will be taken by this Authority under the said Act for execution of this order.

Since the respondent/promoter i.e. Expat Projects and Development Pvt. Ltd., has not complied with the order and not paid the penalty, the case has been referred to the Collector, North Goa, for recovery as arrears of Land Revenue by vide letter dated 21/12/2022.

In complaint filed by Complainant **Mrs. Jessica Naidu & Arun Naidu v/s Expat Projects and Development Pvt. Ltd.** in case number F No: 3/RERA/ Complaint(271)/2021, The Authority has passed the following order dated 28/09/2022:-

The respondent is directed to refund the amount of ₹25, 39,387.20/- (Rupees Twenty five Lakhs Thirty Nine Thousand Three Hundred Eighty Seven and Paisa twenty only) to the complainants within two months from the date of this order.

Further the respondent is directed to pay 10.00 % per annum interest (present lending rate of interest by SBI which is 8.00 % per annum plus two percent) for every month of delay to the complainants on the aforesaid amount paid by the complainants from 30th June 2021 till the date of actual payment of the aforesaid refund.

Under Section 61 of the said Act, if any promoter contravenes any other provisions of the said Act, other than that provided under Section 3 or Section 4, or the Rules or Regulations made thereunder, he shall be liable to a penalty which may extend upto five percent of the estimated cost of the real estate project as determined by the Authority. In the instant case, the promoter has not discharged his obligations, responsibilities and functions as per the agreement for sale registered on 08.02.2019 and hence is liable to penalty under Section 61 of the said Act. Taking into consideration the facts and circumstances of the case, penalty of ₹1, 00,000/- (Rupees One Lakh only) will serve the ends of justice. Hence, the promoter/ the respondent is directed to pay the penalty of Rupees One Lakh within a period of two months from the date of this order. The said penalty amount, if realized by this Authority, be forfeited to the State Government. The respondent is directed to file compliance report of this order within two months, failing which further legal action will be taken by this Authority under the said Act for execution of this order.

Since the respondent/promoter i.e. Expat Projects and Development Pvt. Ltd., has not complied with the order and not paid the penalty, the case has been referred to the Collector, North Goa, for recovery as arrears of Land Revenue by vide letter dated 21/12/2022.

In complaint filed by Complainant **Paul Navel Remigio Fernandes and Rushila Maria Fatima Fernandes v/s Expat Projects and Development Pvt. Ltd.** in case number F No: 3/RERA/ Complaint(274)/2021, The Authority has passed the following order dated 28/09/2022:-

The respondent is directed to refund the amount of ₹30, 85,240/- (Rupees Thirty Lakhs Eighty Five Thousand Two Hundred Forty only) to the complainants within two months from the date of this order.

Further the respondent is directed to pay 10.00 % per annum interest (present lending rate of interest by SBI which is 8.00 % per annum plus two percent) for every month of delay to the complainants on the aforesaid amount paid by the complainants from 30th June 2021 till the date of actual payment of the aforesaid refund.

Under Section 61 of the said Act, if any promoter contravenes any other provisions of the said Act, other than that provided under Section 3 or Section 4, or the Rules or Regulations made thereunder, he shall be liable to a penalty which may extend upto five percent of the estimated cost of the real estate project as determined by the Authority. In the instant case, the promoter has not discharged his obligations, responsibilities and functions as per the agreement for sale registered on 22.12.2017 and hence is liable to penalty under Section 61 of the said Act. Taking into consideration the facts and circumstances of the case, penalty of ₹1, 00,000/- (Rupees One Lakh only) will serve the ends of justice. Hence, the promoter/ the respondent is directed to pay the penalty of Rupees One Lakh within a period of two months from the date of this order. The said penalty amount, if realized by this Authority, be forfeited to the State Government. The respondent is directed to file compliance report of this order within two months, failing which further legal action will be taken by this Authority under the said Act for execution of this order.

Since the respondent/promoter i.e. Expat Projects and Development Pvt. Ltd., has not complied with the order and not paid the penalty, the case has been referred to the Collector, North Goa, for recovery as arrears of Land Revenue by vide letter dated 21/12/2022.

In complaint filed by Complainant **Aftaf Ahmed Xec and Sameena Sultana Syeda v/s Expat Projects and Development Pvt. Ltd.** in case number F No: 3/RERA/Complaint(229)/2021, The Authority has passed the following order dated 31/10/2022:-

The respondents are directed to refund the amount of ₹21, 00,596 (Rupees Twenty One Lakhs Five Hundred and Ninety Six only) to the complainants within two months from the date of this order.

Further the respondents are directed to pay 10.25 % per annum interest (present lending rate of interest by SBI which is 8.25 % per annum plus two percent) for every month of delay to the complainants on the aforesaid amount paid by the complainants from 30th June 2021 till the date of actual payment of the aforesaid refund.

Under Section 61 of the said Act, if any promoter contravenes any other provisions of the said Act, other than that provided under Section 3 or Section 4, or the Rules or Regulations made thereunder, he shall be liable to a penalty which may extend upto five percent of the estimated cost of the real estate project as determined by the Authority. In the instant case, the promoter has not discharged his obligations, responsibilities and functions as per the agreement for sale registered on 02.03.2020 and hence is liable to penalty under Section 61 of the said Act. Taking into consideration the facts and circumstances of the case, penalty of ₹1, 00,000/- (Rupees One Lakh only) will serve the ends of justice. Hence, the promoter/ the respondent is directed to pay the penalty of Rupees One Lakh within a period of two months from the date of this order. The said penalty amount, if realized by this Authority, be forfeited to the State Government.

The respondents are directed to file compliance report of this order within two months, failing which further legal action will be taken by this Authority under the said Act for execution of this order.

Since the respondent/promoter i.e. Expat Projects and Development Pvt. Ltd., has not complied with the order and not paid the penalty, the case has been referred to the Collector, North Goa, for recovery as arrears of Land Revenue by vide letter dated 06/01/2023.

In complaint filed by Complainant **Shoeb Mansoor Muljiani v/s Expat Projects and Development Pvt. Ltd.** in case number F No: 3/RERA/ Complaint(184)/2021, The Authority has passed the following order dated 31/10/2022:-

The respondents are directed to refund the amount of ₹26, 54,530/- (Rupees Twenty Six Lakhs Fifty Four Thousand Five Hundred Thirty only) to the complainant within two months from the date of this order.

Further the respondents are directed to pay 10.25 % per annum interest (present lending rate of interest by SBI which is 8.25 % per annum plus two percent) for every month of delay to the complainant on the aforesaid amount paid by the complainant from 30th June 2021 till the date of actual payment of the aforesaid refund.

Under Section 61 of the said Act, if any promoter contravenes any other provisions of the said Act, other than that provided under Section 3 or Section 4, or the Rules or Regulations made thereunder, he shall be liable to a penalty which may extend upto five percent of the estimated cost of the real estate project as determined by the Authority. In the instant case, the promoter has not discharged his obligations, responsibilities and functions as per the agreement for sale registered on 02.03.2020 and hence is liable to penalty under Section 61 of the said Act. Taking into consideration the facts and circumstances of the case, penalty of ₹1, 00,000/- (Rupees One Lakh only) will serve the ends of justice. Hence, the promoter/ the respondent is directed to pay the penalty of Rupees One Lakh within a period of two months from the date of this order. The said penalty amount, if realized by this Authority, be forfeited to the State Government.

The respondents are directed to file compliance report of this order within two months, failing which further legal action will be taken by this Authority under the said Act for execution of this order.

Since the respondent/promoter i.e. Expat Projects and Development Pvt. Ltd., has not complied with the order and not paid the penalty, the case has been referred to the Collector, North Goa, for recovery as arrears of Land Revenue by vide letter dated 06/01/2023.

In complaint filed by Complainant **Mubina Bi Aziz Shaikh v/s Expat Projects and Development Pvt. Ltd.** in case number F No: 3/RERA/ Complaint(257)/2021, The Authority has passed the following order dated 31/10/2022:-

The respondents are directed to refund the amount of ₹34, 07,197/- (Rupees Thirty Four Lakhs Seven Thousand One Hundred and Ninety Seven only) to the complainant within two months from the date of this order.

Further the respondents are directed to pay 10.25 % per annum interest (present lending rate of interest by SBI which is 8.25 % per annum plus two percent) for every month of delay to the complainant on the aforesaid amount paid by the complainant from 30th June 2021 till the date of actual payment of the aforesaid refund.

Under Section 61 of the said Act, if any promoter contravenes any other provisions of the said Act, other than that provided under Section 3 or Section 4, or the Rules or Regulations made thereunder, he shall be liable to a penalty which may extend upto five percent of the estimated cost of the real estate project as determined by the Authority. In the instant case, the promoter has not discharged his obligations, responsibilities and functions as per the agreement for sale registered on 29.12.2017 and hence is liable to penalty under Section 61 of the said Act. Taking into consideration the facts and circumstances of the case, penalty of ₹1, 00,000/- (Rupees One Lakh only) will serve the ends of justice. Hence, the promoter/ the respondent is directed to pay the penalty of Rupees One Lakh within a period of two months from the date of this order. The said penalty amount, if realized by this Authority, be forfeited to the State Government.

The respondents are directed to file compliance report of this order within two months, failing which further legal action will be taken by this Authority under the said Act for execution of this order.

Since the respondent/promoter i.e. Expat Projects and Development Pvt. Ltd., has not complied with the order and not paid the penalty, the case has been referred to the Collector, North Goa, for recovery as arrears of Land Revenue by vide letter dated 06/01/2023.