

In complaint filed by the complainant **Mr. Sudesh Naik & Shruti Naik Vs Mr. Adam Abdul Jumma** in case number **3/RERA/Complaint(434)/2024/**, vide order dated 11/08/2025 has passed the following order:-

- 1. The respondent in terms of Section 17 of the RERA Act, is directed to handover possession of the subject property to the complainant and also to execute a sale deed in favour of the complainant in respect of the flat F-6 admeasuring 56.37sq.mts., located at AMAN'S JATAYU as per agreement for construction cum sale dated 29.09.2017 within 60 days from the date of issue of this of this order without asking for any additional payment.*
- 2. The respondents are also directed to pay interest @ 10.9% to the complainant on an amount of Rs. 10,40,000/- for the period from 28.09.2019 till the date of this order in lump sum and thereafter monthly till the handing over of the possession of the subject property to the complainants/allottee. In respect of the remaining amounts paid on different dates totaling Rs. 10,70,000/-, the respondents are directed to pay interest @ rate of 10.9% from the date on which the respective amounts have been received from allottee and till the date of this order in lump sum and thereafter monthly till handing over of the possession of the subject property to the complainant/allottee.*
- 3. The respondents are directed to pay costs of Rs. 30,000/- to the complainant within 60 days of this order, failing which it will carry interest in terms of law till effective payment.*
- 4. The respondent is directed to pay Rs. 6,00,000/- as penalty under Section 59 of the Act for violation of provision of Section 3(1) of the Act.*

5. *The respondent is directed to pay Rs. 1,00,000/- as penalty under section 60 of the Act for contravention of the provisions of section 4 of the Act read in conjunction with rule 3 of the Goa Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate agents, Rate of interest and Disclosures on website) Rules, 2017.*
6. *The respondent is directed to pay Rs. 2,00,000/- as penalty under Section 61 of the RERA Act for violation of Section 17 and Section 18.*
7. *These penalty amounts as noted at (iv),(v) &(vi) above shall be deposited into the bank account of the Authority, within 60 days, failing which necessary proceedings will be initiated against the respondents.*
8. *The respondents are directed to file compliance report of this order in the form of an affidavit within sixty five days of this order, failing which further legal action will be initiated by the Authority under the RERA Act for execution of the order.*
9. *In view of the observations made in respect of Point No. 11at Para 16 above, the instant complaint is further transferred to Adjudicating Officer for determination of compensation including the items listed at point No. J i.e for hardships and inconvenience caused for mental harassment, for blocking fund of the complainant etc. as per provisions of Section 71 of the Real Estate (Regulation and Development)Act, 2016.*
10. *Secretary Goa RERA is accordingly directed to issue an appropriate communication to the above effect enclosing there with a copy of this order and also the copies of the three receipts (the details of which are noted at para 7(i) above) in respect of a total amount of Rs. 3,50,000/- claimed to have been made in cash by the complainant to the Respondent., to jurisdictional income tax authority for taking further*

action as required in terms of direction issued by Hon'ble Supreme Court of India vide its judgment in Civil Appeal No. 5200 of 2025(The correspondence, RBANMS Educational Institutions vs B Gunashekar & Another) dated 16.04.2025.

Since the Respondent/Promoter ie. Adam Abdul Jumma has not complied with the order, the case has been referred to the Collector (South Goa) for execution of above order.

In complaint filed by Complainant Shri. Guddu S. Malha v/s Adam A. Jumma by Aman Builder & Developers in case number F No: 3/RERA/Complaint(123)/2020, The Authority has passed the following order dated 29/10/2021:-

“In view of above, Respondent/Promoter is hereby directed to refund the amount alongwith interest amounting to Rs. 15,97,500/- (Rupees fifteen lakhs ninety seven thousands five hundred only) under section 18 of the Real Estate (Regulation and Development) Act, 2016 within 30 (thirty) days after receipt of this order failing which he will be liable to pay interest on entire amount at the rate of eight percent per annum from 01.11.2021 onwards till entire amount is paid by the builder or recovered as per law. Further the case is referred to Adjudicating Officer to determine the amount of compensation if any in terms of prayer made by complainant in the complaint.”

Since the Respondent/Promoter ie Adam A. Jumma, has not complied with the order, the case has been referred to the Mamlatdar of Marmugao Taluka, for recovery as arrears of Land Revenue. The Respondent/Promoter has filed an Appeal and the matter is pending before the Maharashtra RERA Appellate Tribunal.

This office has received a Letter on 04/01/2024 from the complainant that the claims in terms of the order dated 29/10/2021 passed by Goa RERA Authority in Case No. 3/RERA/Complaint(123)/2020 has been settled in pursuance of consent terms filed before the Hon'ble High Court of Bombay at Goa Bench in Second Appeal No. 1774/2023(F) with Civil Application No. 1777/2023(F) and Second Appeal No. 1782/2023(F) and as per order dated 01/09/2023 passed therein by the Hon'ble Bombay High Court. accordingly a letter dated 16/01/2024 for stopping the execution proceedings has been sent to Mamlatdar of Marmugao Taluka.