BEFORE THE MAHARASHTRA
REAL ESTATE REGULATORY AUTHORITY, MUMBAI

Through Hybrid Hearing as per
MahaRERA Circular No.: 49/2025 dated 12-09-2025

REGULATORY CASE NO. 426 OF 2025

Gagan I-Land Township Private Limited … APPLICANT (PROMOTER)

Gagan Commerce Centre …PROJECT NAME

MAHARERA PROJECT REGISTRATION NO. P52100016445

Coram: Mahesh Pathak, Member-l, MahaRERA
C.A Nicky Milani appeared on behalf of the Applicant-Promoter

Order
(Order Pronounced on Monday, 30th March 2026)
(*Date of virtual hearing –12.02.2026, matter reserved for order*)

1. The Applicant-promoter herein had registered the project namely "Gagan Commerce Centre" under section 5 of the Real Estate (Regulation and Development) Act, 2016 ("**Act**") of Real Estate Regulatory Authority ("**RERA**") bearing MAHARERA **Registration No. P52100016445** (hereinafter referred to as the "Said **Project**") located at Survey No. 23, Final Plot No. 262, Sub Plot No. 262/B+ Sub Plot No. 262 /C Sangamwadi, Taluka Pune City, and Dist.- Pune.

2. On 07-12-2023, an application was made by the Applicant (Promoter) for seeking deregistration of the said Project. Accordingly, as per the directions of Hon'ble Chairperson/MahaRERA, dated 16-10-2025, this matter was heard by this Bench on 29-12-2025 and finally on 12-02-2026. The prior intimation of the said hearing was sent to the Applicant, via email dated 26-12-2026 and it was directed to appear for the virtual hearing. Further, vide the said email, the Applicant was directed to submit its reply on 3 main issues viz i) Specific reason for the De- registration, ii) details of the allottees (along with their contact details and email address) and iii) updated QPRs (if not updated).

3. Accordingly, the present matter was heard on, 29-12-2025 and the same was heard finally on 12-02-2026, wherein the following roznamas were recorded by the Authority:

<u>On 29-12-2025</u>

"De-registration Hearing"

The applicant is absent. The matter is adjourned to a suitable date for hearing on the deregistration application and as a last chance to the applicant. List the matter for next hearing on 19-01-2026."

<u>On 12-02-2026</u>

"De-registration Hearing"

The applicant - promoter is present. The applicant - promoter is directed to provide the contact details of the 8 allottees who have already been settled and consents thereof obtained. This may be done by the complainant - promoter today itself, subsequent to which the matter will be reserved for orders on the application for de-registration."

4. The Applicant (Promoter) had filed the deregistration application stating the following reason:

"Project transferred/sold."

5. However, on bare perusal of the available record, the following observations are

a. The project was granted registration on 11-05-2018.
b. The Applicant (Promoter) submitted a Notarized Declaration-Cum- Undertaking dated 14-12-2023, stating that the project has 8 allottees and submitted the consents of 8 allottees.
c. Further, with respect to QPR's, it is updated till January 2021.
d. It is further observed that the office of MahaRERA on 15-01-2024 issued notices inviting objections for deregistration of the project, wherein no such objections were received.
e. It is further observed that no complaints have been filed in respect of the said project.

6. However, in the present case, pursuant to the directions issued by MahaRERA during the hearing held on 12-02-2026, the applicant–promoter, on the same date, submitted details of 8 allottees along with their contact details and email addresses. The applicant has submitted that the said allottees have executed cancellation deeds, thereby cancelling their respective bookings in the project.

7. In this regard, it is pertinent to note that the Authority, vide Order No. 42/2023 dated 10-02-2023, has laid down provisions for the de-registration of real estate projects. The said MahaRERA Order, clearly provides that in cases where there are existing bookings, an application for de-registration shall be considered only upon settlement of the rights of

the allottees, and upon submission of documentary proof of such settlement along with the de-registration application.

8. In the present case, the applicant–promoter has submitted that there is no intention to complete the project, as the same has been transferred and sold. While the Authority is not required to examine the reasons for such lack of intent, it is duty-bound to ensure that the interests of the allottees are protected. In this regard, the applicant has placed on record cancellation deeds executed by all 8 allottees, showing that their bookings in the project have been cancelled. This shows implied consent of the allottees in terms of MahaRERA Order No. 42 of 2023 dated 10-02-2023. Further, no complaints have been filed by any aggrieved party in the project, which shows that the rights of all 8 allottees have been duly settled.

9. In view of the above and considering that there is no subsisting intent to complete the project, continuation of the project registration serves no purpose. Hence, the project registration is liable to be de-registered.

10. In view of these observations, the said project stands de-registered, and the Applicant (promoter) is hereby restrained from advertising, marketing, booking, selling, offering for sale, or inviting any person(s) to purchase in any manner any apartment/unit in the said project, henceforth.

MAHESH DINKAR PATHAK
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(Mahesh Pathak)

Member-I, MahaRERA