BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY, MUMBAI

Hearing held in Hybrid Mode

REGULATORY CASE NO. 458 OF 2026

REGULATORY APPLICANT	EVERGREEN WOODS B COOPERATIVE HOUSING SOCIETY LTD.
PROMOTER NAME	VINCA REALTORS PVT LTD
PROJECT NAME	SAJAY BUSINESS HUB
PROJECT REGISTRATION NO.	P51800054826

Order

July 2nd, 2026

(Date of hearing - 18.06.2026 the matter was reserved for order)

Coram: Manoj Saunik, Chairperson, MahaRERA

Advocate Rubin Vakil appeared on behalf of promoter along with Mr. Shailesh Hingarh, Director of Vinca Realtors Pvt. Ltd.

Advocate Bishwajeet Mukherjee and Advocate Saket Gala appeared on behalf of Ankur Mayflower Associates.

Mr. Kishor Patel, Chairman of the Society, appeared on behalf of the Applicant.

1. The present regulatory proceedings arise out of an application seeking the revocation of MahaRERA Project Registration No. P51800054826 for the project "Sajay Business Hub", on the grounds of misrepresentation, overlapping plot registration, and the submission of a deficient, factually incorrect Declaration-cum-Undertaking dated 29.01.2024.

2. This Authority, vide order dated 17.04.2026, observed *prima facie* non-disclosures regarding pre-existing registered projects on a portion of the layout land (CTS Nos. 657 and 657/1 to 19) prescribed under MahaRERA Order No. 50/2024. Consequently, the registration of "Sajay Business Hub" was kept in abeyance, the project RERA designated bank account was frozen, and marketing or registration of units was restricted. The Promoter was directed to

file a comprehensive compliance affidavit explaining the variations, layout configurations and facts and details pertaining to all the three projects.

3. In strict compliance with the directions set forth in the order dated 17.04.2026, the Promoter filed a detailed explanatory reply dated 02.05.2026 and 29.07.2025 before the Authority. Subsequent to the filing of the reply, the regulatory matter was listed for further hearing on 18.06.2026, wherein the following Roznama was recorded:

   "*Advocate Rubin Vakil appeared for the promoter. Shailesh Hingarh director of Vinca Realtors Pvt. Ltd. Advocate Bishwajeet Mukherjee and Advocate Saket Gala appeared for the Respondent. Kishor Patel, Chairman of Society appeared for the Complainant. Heard both parties. The matter is reserved for order.*"

4. The Authority has carefully considered the reply filed by the Promoter, the counter-reply filed by the Applicant, the documents placed on record, and the oral submissions advanced by the respective parties during the hearing. The core substantive issues regarding layout alterations, the amalgamation of additional plots (CTS Nos. 158 and 159), and the overarching demands for revocation and conveyance have already been comprehensively adjudicated by this Authority in the other connected complaints filed by the Applicant Society, bearing Complaint No. CC12501904 and Complaint No. CC12503766. In those proceedings, the prayer for the revocation of this project's registration was rejected, taking into account the validly amended layout plans sanctioned by the competent planning authority and the parallel pendency of a comprehensive civil suit (L.C. Suit (L) No. 12272 of 2023) before the Hon'ble City Civil Court, Mumbai.

5. Accordingly, the scope of the present proceedings is confined solely to the regularisation of the technical regulatory infractions relating to the execution of the mandated Declaration-cum-Undertaking under MahaRERA Order No. 50/2024. While the Promoter, in its compliance reply, has explained that the incorrect declaration was made inadvertently and in good faith, the fact remains that the Declaration-cum-Undertaking dated 29.01.2024 was factually incomplete and omitted material disclosures mandated under the applicable

regulatory framework. Such omissions are, however, rectifiable in nature and are capable of being cured by filing a corrected declaration containing complete and accurate particulars before the Authority.

6. Statutory declarations uploaded on the MahaRERA portal constitute the foundation of regulatory transparency and enable the Authority to effectively monitor compliance with the provisions of the Act and the Rules made thereunder. Although the Promoter has unequivocally expressed its willingness to rectify the omissions and has placed the correct layout particulars on record through its compliance reply, the initial submission of an inaccurate and incomplete declaration nevertheless constitutes a violation of the applicable regulatory requirements. The subsequent rectification of such omission does not efface the original default but merely cures the defect prospectively. Accordingly, while the omission is capable of being rectified, the regulatory infraction committed by the Promoter warrants the imposition of a monetary penalty to reinforce regulatory compliance and preserve the integrity of the statutory disclosure regime. Therefore, this Authority imposes a penalty of Rs. 1,00,000/- (Rupees One Lakh only) upon the Promoter for filing an incomplete Declaration-cum-Undertaking and omitting mandatory disclosures required under MahaRERA Order No. 50/2024.

7. However, considering that the omission in the Declaration-cum-Undertaking is capable of being rectified, and that the structural integrity of the project, the rights of third-party allottees, and the legal validity of the revised layout plans have either been preserved or are the subject matter of adjudication before the competent civil court in the connected proceedings, no regulatory purpose would be served by keeping the project registration under prolonged abeyance. Such a course would unnecessarily prejudice the interests of bona fide allottees in the commercial phase. Accordingly, upon the Promoter filing a corrected Declaration-cum-Undertaking on the MahaRERA portal and depositing the penalty levied under this order, the project registration is liable to be restored to active status.

FINAL ORDER

8. Therefore, after considering the aforementioned observations and provisions of the Act, the materials placed on record, the facts of the case and submissions made by the Parties, the Authority passes the following order:

   A. The abeyance order dated 17.04.2026 passed against MahaRERA Project Registration No. P51800054826 ("Sajay Business Hub") stands vacated. The restrictions placed upon the marketing, booking, sale, or registration of apartments/units in the said project are hereby lifted.

   B. The bank maintaining the project RERA designated bank account is directed to unfreeze the accounts associated with Project Registration No. P51800054826 with immediate effect.

   C. The Secretary, MahaRERA, is directed to issue necessary intimations of this order to the concerned Joint Registrar of Assurances and the respective bank for immediate restorative action.

   D. The prayer of the Applicant Society for the revocation of the project registration is hereby rejected, as the substantive aspects of the dispute have already been dealt with in the order of complaint bearing nos. CC12501904 and CC12503766.

   E. For the initial submission of an incomplete and deficient Declaration-cum-Undertaking on the portal, a penalty of Rs. 1,00,000/- (Rupees One Lakh only) is hereby levied upon the Promoter under the Act. The Promoter shall deposit this penalty amount with MahaRERA within a period of thirty (30) days from the date of this order.

   F. The Promoter is further directed to coordinate with the IT, MahaRERA to formally upload the corrected, complete, and rectified Declaration-cum-Undertaking on the project registration webpage within thirty (30) days from the date of this order.

   G. No order as to costs.

MANOJ SAUNIK
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Manoj Saunik
Chairperson, MahaRERA

BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY, MUMBAI

HEARING HELD IN HYBRID MODE

REGULATORY CASE NO. 458 OF 2026

REGULATORY APPLICANT	EVERGREEN WOODS B COOPERATIVE HOUSING SOCIETY LTD.
PROMOTER NAME	VINCA REALTORS PVT LTD
PROJECT NAME	SAJAY BUSINESS HUB
PROJECT REGISTRATION NO.	P51800054826

Order

April 17th, 2026

(Date of hearing - 16.02.2026 and the matter was reserved for order)

CORAM: Manoj Saunik, Chairperson, MahaRERA

The chairman of the applicant society - Mr. Kishor Patel and the secretary of the applicant society - Mr. Alpesh Shah are present in person.
None present for the promoter.

1. The applicant is a registered co-operative housing society defined under Section 2 (zg) (vii) of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as "the Act"). Vinca Realtors Pvt Ltd is the promoter as defined under Section 2 (zk) of the Act who has registered the captioned project namely "SAJAY BUSINESS HUB" under section 5 of the Act bearing MahaRERA Registration No. P51800054826 (hereinafter referred to as the "captioned project").

2. The details of the captioned project are briefly mentioned in the table below for ease of reference:

Project No.	P51800054826
Project Name	SAJAY BUSINESS HUB
Project registered as	New project
Completion date declared by the promoter	Proposed completion date: 30.06.2026
Plot Number/ Survey Number	158, 158 / 1 to 11, 159, 159/1to 6 of Village - Gundavali and 657, 657/1 to 19 of Village- Andheri, Taluka: Andheri, District: Mumbai Suburban, 400069
Project area	3180.1 square meters
Date of Registration of project with MahaRERA	15.02.2024
Complaints in the Project	Total complaint filed in the project is 1 which is disposed vide order dated 10.03.2025 as per consent terms dated 20.02.2025
Total number of buildings (as per project details updated by Promoter)	1 building consisting of 1 sanctioned floor.
Total number of apartments (as per project details updated by Promoter)	12
Disclosure of sold/unsold inventory	Neither uploaded by the promoter on the MahaRERA project registration webpage nor filed with this Authority.

3. The captioned matter was heard by this authority vide hearing dated 16.02.2026 wherein following roznama was recorded:

"The applicant society is present; the promoter is absent. Heard the applicant society, matter is reserved for order."

4. The submission of the applicant society is as follows:

A. The subject land comprises CTS No. 657, 657/1 to 19 admeasuring 1877.50 sq. mtrs., situated at Andheri East, Mumbai, originally occupied by tenants who vacated pursuant to redevelopment under Permanent Alternate Accommodation agreements executed around 2013–2014.

B. The original redevelopment project "Evergreen Woods" (Wings A, B & C) was conceived as a residential project by *M/s. Sahaj Ankur Realtors*, and thereafter a Joint Venture dated 29.04.2014 was executed with *Vinca Realtors Pvt. Ltd.*, forming *Ankur Mayflower Associates*.

C. The project was bifurcated into:

Residential project "Evergreen Woods" – RERA No. P51800008167 dated 18.08.2017, area 1005.59 sq. mtrs., OC received on 15.08.2021

Commercial project "The Business Hub" – RERA No. P51800004522 dated 18.05.2020, area 774.37 sq. mtrs., stated to be incomplete (OC not reflected on website as on 08.02.2026)

D. Thus, a total of 1779.96 sq. mtrs. of land already stands covered under existing RERA registrations.

E. The Joint Venture was dissolved on 31.12.2020, and *Vinca Realtors Pvt. Ltd.* unilaterally took over the project without consent of allottees and without compliance of Section 15 of the RERA Act.

F. The society was registered on 25.08.2022, however, the promoter has failed to execute conveyance even after more than 43 months from receipt of OC, in violation of Section 17 of RERA, MOFA, and MahaRERA Order No. 20/2021 dated 28.07.2021.

G. Despite repeated communications dated 25.02.2022, 14.06.2022, 31.07.2022, 27.11.2022, and assurances in AGM dated 17.12.2023, the promoter has not executed conveyance.

H. After receipt of OC for Evergreen Woods, the promoter entered into Development Agreements with adjoining landowners:

CTS No. 159, 159/1 to 6 – 486.90 sq. mtrs. (Kapadia Family)

CTS No. 158, 158/1 to 11 – 815.70 sq. mtrs. (Bhatia Family)

I. The promoter thereafter obtained RERA Registration No. P51800054826 dated 15.02.2024 for "Sajay Business Hub," covering total land 3180.10 sq. mtrs., comprising:

CTS 657 series – 1877.50 sq. mtrs.

CTS 158 – 815.70 sq. mtrs.

CTS 159 – 486.90 sq. mtrs.

J. It is submitted that inclusion of CTS 657 land (already part of earlier RERA projects) in the new registration amounts to multiple/overlapping registration, in violation of MahaRERA Order No. 50/2024 dated 10.01.2024.

K. The promoter, through Mr. Shailesh Hingarh, submitted a Declaration-cum-Undertaking dated 29.01.2024, stating that no other RERA project exists on the same land; however, two registered projects already exist, rendering the declaration false.

L. The promoter has also admitted omission of material portions in the declaration (in reply dated 29.07.2025), which is deliberate and not inadvertent, particularly omission of clauses relating to non-alteration of common amenities.

M. A contradiction is highlighted between the Declaration-cum-Undertaking and Declarations of Interest dated 18.01.2024, wherein existing projects were disclosed.

N. The sanctioned plans of "Sajay Business Hub" allegedly alter/modify/delete common amenities, including utilization of RG area admeasuring approx. 271.28 sq. mtrs. and other open spaces of the existing project.

O. Such alteration is stated to be in violation of Section 14(2) of the RERA Act, as no consent of allottees has been obtained.

P. The promoter is further alleged to have unauthorisedly used and exploited RG area and other common/open spaces belonging to the society for commercial gain.

Q. The promoter had filed a statutory declaration in Form Z under MOFA before the Deputy Registrar undertaking not to alter structure or construct additional buildings without consent of allottees; the same has been violated.

R. It is contended that either false declarations have been filed before statutory authorities or such declarations have been dishonoured, demonstrating disregard for law.

S. Reliance is placed on judicial precedents, including Bombay High Court judgment dated 09.05.2025 (Neelkanth Heights case), to submit that the right to conveyance crystallizes upon formation of society and cannot be defeated by future development plans.

T. It is submitted that the promoter has deliberately delayed conveyance to retain control over the project land and common areas and to facilitate development of adjoining plots by utilising such areas.

U. The conduct of the promoter is alleged to be mala fide, resulting in wrongful gain to the promoter and corresponding loss, deprivation of amenities, and hardship to the society and its members.

V. The applicant submits that the violations are deliberate, continuing, and substantive, and not technical or inadvertent in nature.

W. The applicant seeks revocation of the captioned project, compensation, imposition of penalty under relevant provisions of the Act

X. That continuation of the impugned registration would result in irreparable financial loss, loss of amenities, and prejudice to the rights of the society and allottees, and would amount to permitting the promoter to benefit from its own wrongs.

5. The respondent promoter has remained absent in the proceedings before this Authority, however in their reply dated 29.07.2025 filed on 12.08.2025 to the show cause notice dated 27.06.2025 issued by the Secretary, MahaRERA, the promoter responds as follows:

   A. That the promoter denies all allegations and contentions raised in the Show Cause Notice, stating that nothing should be deemed admitted unless specifically accepted.

   B. That the project "Evergreen Woods" had received Occupancy Certificate dated 15.08.2021, and the Declaration-cum-Undertaking was furnished in the backdrop of MahaRERA Order No. 50/2024, which had been recently issued prior to registration of "Sajay Business Hub."

   C. That any errors or omissions in the Declaration-cum-Undertaking were inadvertent and not wilful, and occurred due to the recent issuance of the said Order.

   D. That the project "The Business Hub" (RERA No. **P51800004522**) has also received an Occupancy Certificate, and the promoter is awaiting migration of the project to the new MahaRERA website for uploading the same.

   E. That the allegations of submitting incomplete, false, or misleading Declaration-cum-Undertaking, the promoter submits that the declaration was made in good faith, and any inaccuracies or omissions were not deliberate.

   F. That specifically, the omission of the mandatory amenities protection statement from the declaration is stated to be an inadvertent error, attributable to the recent introduction of MahaRERA Order No. 50/2024.

   G. That the Show Cause Notice be dropped and the registration of "Sajay Business Hub" be continued.

H. That in the event of any compliance deficiencies, the promoter is willing to rectify and comply forthwith.

I. The promoter undertakes to provide any further information or clarification sought by MahaRERA and to comply with all regulatory requirements and directions issued by the Authority.

6. From the facts and the submissions made by the parties herein, the issues that need to be considered are:

A. Whether the promoter has submitted incomplete, false, or misleading Declaration-cum-Undertaking at the time of registration of the project "Sajay Business Hub"?

B. Whether the registration bearing No. P51800054826 has been obtained in contravention of the provisions of the Act and MahaRERA Order No. 50/2024?

7. Before answering the issues framed hereinabove, the following observations are noteworthy:

A. The present proceedings arise out of application dated 08.04.2025 and consequent Show Cause Notice No. MahaRERA/SECY/SCN/381/2025 dated 27.06.2025 issued to the promoter *Vinca Realtors Private Limited* in respect of the captioned project, calling upon the promoter to show cause as to why appropriate action under the provisions of the Act should not be taken.

B. The applicant has filed detailed submissions seeking revocation of the aforesaid registration on the ground that the same has been obtained by misrepresentation, suppression of material facts, and submission of false and incomplete Declaration-cum-Undertaking, apart from alleging violations of Sections 14(2) and 17 of the Act.

C. The Authority has perused the material available on record it is established upon verification that the real estate project "Evergreen Woods" bearing RERA Registration No. P51800008167 has been developed on land bearing CTS Nos. 657 & 657/1 to 19 of Village Andheri, admeasuring 1005.59 sq. mtrs., and the real estate project "The Business Hub" bearing RERA Registration No. P51800004522 is being developed on the said land admeasuring 774.96 sq. mtrs. Thus, a substantial portion of the project land admeasuring 1877.50 sq. mtrs. already stands covered under existing RERA-registered projects.

D. It is further an admitted and verified position that the promoter, Vinca Realtors Private Limited, while seeking registration of the project "Sajay Business Hub" bearing Registration No. P51800054826, submitted a Declaration-cum-Undertaking dated 29.01.2024 in purported compliance of MahaRERA Order No. 50/2024 dated 10.01.2024, inter alia declaring that no other real estate project was registered with MahaRERA or being executed on the said project land or part thereof.

E. The aforesaid declaration, upon scrutiny, is found to be factually incorrect and misleading, inasmuch as two RERA-registered projects, namely "Evergreen Woods" and "The Business Hub," already existed on a substantial portion of the same land. This false assertion is further contradicted by the promoter's own disclosures made in the "Declaration of Interest in Other Real Estate Organisations," wherein the existence of the said projects on CTS Nos. 657 & 657/1 to 19 has been expressly acknowledged.

F. Further, it is observed that the Declaration-cum-Undertaking submitted by the promoter is incomplete, as it omits the mandatory statement prescribed under MahaRERA Order No. 50/2024 concerning protection of common/special amenities. The omission of such a crucial stipulation, which requires affirmation that the proposed project does not alter or affect the amenities of already registered projects, cannot be treated as inadvertent. On the contrary, the same appears to be deliberate and with intent to conceal material facts, particularly in view of the proposed development under "Sajay Business Hub," which materially impacts the amenities of the existing projects.

G. The Authority is of the considered view that the said false representation and material omission in the Declaration-cum-Undertaking had a direct bearing on the grant of registration. Had the true and complete facts been disclosed, the application for registration would not have merited approval. The registration thus stands vitiated by misrepresentation and suppression of material facts.

H. After perusal of record, it has come to the notice of the Authority that the applicant society has already filed complaint number CC12501904 on 11.06.2025 in the related project number P51800008167 (project name Evergreen Woods) seeking reliefs pertaining to nonfulfillment of obligations under section 17 for transfer of title of land in favour of association of allottees and reliefs pertaining to unauthorized occupation & use of sanctioned RG area of 271.28 sq. mtrs. and other proportionate common areas lawfully belonging to the Complainant society. It is pertinent to note that the necessary proceeding in this complaint is already being conducted and thus in order to follow

appropriate procedure the issues framed hereinabove at para 6 C needs to be addressed in the proceedings of that complaint.

8. The contention of the promoter that omissions in the Declaration-cum-Undertaking were inadvertent and attributable to the recent issuance of MahaRERA Order No. 50/2024 cannot be accepted. The requirement of submitting a complete and truthful declaration is a statutory mandate, forming the very basis for grant of registration under the Act. Any deviation therefrom strikes at the root of the registration itself.

9. It is an admitted position that the promoter has omitted material portions of the prescribed Declaration-cum-Undertaking, including statements pertaining to the existence of other projects on the same land and protection of common amenities. Such omission, in the facts of the present case, cannot be treated as a mere clerical or inadvertent error. The extent and nature of omission clearly indicate that the declaration was incomplete and misleading, thereby vitiating the registration process.

10. The plea of "good faith" advanced by the promoter does not absolve it of statutory compliance. A declaration submitted to a regulatory authority must be true, complete, and in strict conformity with the prescribed format, and any deficiency therein cannot be cured by subsequent explanations.

11. The material on record further indicates that the project land forming part of Registration No. P51800054826 includes land already covered under prior RERA registrations, thereby attracting the prohibition against multiple/overlapping registrations as contemplated under MahaRERA Order No. 50/2024 dated 10.01.2024. The declaration submitted by the promoter, denying existence of such projects, is therefore found to be

factually incorrect. **Thus, the issue framed hereinabove at para 6 A and 6 B is answered in the affirmative.**

12. In view of the above, the Authority is satisfied that the registration of the captioned project "Sajay Business Hub" bearing Registration No. P51800054826 dated 15.02.2024 has been obtained on the basis of incomplete and misleading disclosures, as well as in violation of binding directions issued by MahaRERA. It is also pertinent to note that the promoter has remained absent in the proceeding of the captioned matter and has not filed any written submissions apart from the response to the aforesaid show cause notice. Thus in observance of rules of natural justice upto its full extent, this Authority grants one last chance to the promoter to file an affidavit outlining all the facts and details pertaining to all the three projects in issue here, especially the captioned project. The promoter is directed to explain all the violations he has done while obtaining the registration of the captioned project and how they wish to rectify the same. In view of the above findings the Authority directs Secretary, MahaRERA to put the captioned project in abeyance and the bank holding the escrow account of the captioned project to be freezed**.**

FINAL ORDER

13. Therefore, after considering the aforementioned observations and provisions of the Act, the materials placed on record, the facts of the case and submissions made by the Parties, the Authority passes the following order:

A. The Authority hereby directs the Secretary, MahaRERA that the registration of the captioned project number P51800054826 be kept in abeyance with immediate effect.

B. The promoter is directed not to sell, market, book, advertise or offer for sale, or invite person/s to purchase in any manner, any apartment / unit of the captioned project till further orders.

C. The bank holding the project bank account is directed to freeze the bank accounts of the captioned project number P51800054826 until further notice from MahaRERA.

D. The concerned Joint Registrar of Assurances having jurisdiction to register Agreement for sale / Sale deed is directed not to register any agreement for sale / Sale deed in respect of the units in the captioned project number.

E. The Secretary, MahaRERA is directed to issue intimation of this order to the concerned joint registrar and the bank for their directed action.

F. The promoter is directed to file on affidavit within fifteen (15) days from the date of this order declaring all the details as more particularly directed herein in para no. 12, failing which this Authority shall impose penalties under section 63 of the Act.

G. No order as to costs.

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Manoj Saunik
Chairperson, MahaRERA