BEFORE THE MAHARASHTRA
REAL ESTATE REGULATORY AUTHORITY, MUMBAI

Hearing held through hybrid mode.

REGULATORY CASE NO. 424 OF 2025

GUARDIAN LANDMARKS LLP … APPLICANT (PROMOTER)

GUARDIAN WIND SHIRE PHASE 1 …PROJECT NAME

MAHARERA PROJECT REGISTRATION NO. P52100001828

Order

March 10th, 2026
(*Date of hearing –21.11.2025 - matter reserved for order*)

Coram: Manoj Saunik, Chairperson, MahaRERA
Advocate Nilesh Borate present through VC.

1. The applicant herein had registered the project namely "GUARDIAN WIND SHIRE PHASE 1" under section 5 of the Real Estate (Regulation and Development) Act, 2016 ("**Act**") of Real Estate Regulatory Authority ("**RERA**") bearing MAHARERA **Registration No. P52100001828** (hereinafter referred to as the "**Project**").

2. On 26.08.2024, an application was made by the applicant for seeking deregistration of the project. In this regard the case was heard by this Authority on 21.11.2025 wherein the following roznama was recorded:

    1. *"Heard the representative of the applicant promoter on the captioned deregistration application.*
    2. *As per the record, three complaints pertaining to this project are pending adjudication before the Authority. Out of these, two complaints are in the process of refund, and one complaint is active before the bench of Chairperson, MahaRERA.*
    3. *The Applicant Promoter is directed to submit an affidavit with all documentary evidence to demonstrate that the claims of each and every allottee under the Act of the captioned project are addressed by the promoter and are duly settled. Such evidence shall be filed within seven days.*
    4. *Upon submission of the said documents, the matter shall be reserved for orders."*

3. The submissions made by the promoter is as follows:

4. Before examining that whether the present application be allowed or not, the Authority deems it appropriate to note the following observations:

A. At the outset, it is observed that there are five complaints filed in the captioned project, in which 4 are disposed vide respective orders. In all four complaints, orders were issued by the Authority, and the claims of the respective 4 complaints are settled subsequently by the promoter. With regard to the complaint number CC005000000137166 which is presently under proceedings before this Authority, the promoter states that it is settled and a cancellation deed is executed between the parties. Index – II copy of the same is annexed to the affidavit dated 02.12.2025 filed by the promoter.

B. It is pertinent to note that the captioned project was registered on 29.07.2017.

C. The promoter has not uploaded / filed the declaration pertaining to the sold and unsold inventory even for once as prescribed by MahaRERA to be filed from time to time. These details being essential information to adjudicate upon this present application is neither updated on the project registration webpage nor filed by the promoter with this application. The details manually updated by the promoter on the project registration webpage online reflects that there are two builings in the captioned project consisting total 288 units. 83 units are updated as booked, however in the present application the promoter states that there are only 80 units and the affidavit dated 02.12.2025 filed by the promoter in compliance of the directions in hearing dated 21.11.2025 does not record any detail / explanation / clarification pertaining to the actual number of bookings received in the project and whether all of them are settled or not.

D. A declaration dated 26.12.2022 uploaded by the promoter on the project registration webpage in response to the show cause notice dated 08.12.2022 records that out of total 370 number of bookings received by the promoter, 336 are cancelled and the promoter had refunded the monies received from

those 336 purchasers. Further as on the declaration dated 26.12.2022, 34 bookings are still left in the project.

E. Thus, in view of the records filed/updated by the promoter and the declaration made in the present application, the Authority finds that the details pertaining to the bookings are in blatant contradiction with one another. The particulars placed on record do not present a consistent or reliable account of the bookings in the project. Consequently, the actual subsisting number of bookings made, and the extent of monies received from the allottees remain unclear and have not been placed on record in a transparent manner. The Authority cannot proceed in ignorance of such material facts, particularly with regard to the number of allottees who have invested in the project and the status of their claims.

5. In view of the above observations and findings based on the materials placed on record by the promoter, the Authority deems it appropriate to reject the present application for lack of clarity over the essential details of the project. The promoter is directed to update all the details and materials on record which provides sufficient clarity over the details referred hereinabove along with all other periodical compliances with all the supporting documents required to substantiate the same.

6. In the interest of ease of business, the promoter is at liberty to approach the Authority vide a restoration application for deregistration along with all the relevant materials prescribed by the Authority from time to time.

7. The promoter is directed to deposit a cost of Rs 20,000/- for noncompliance of directions issued in hearing dated 21.11.2025 in appropriate manner which was necessary on the part of the promoter for fair adjudication in the captioned application. The cost to be deposited with the Authority within thirty (30) days from the date of this order. The restoration application shall only be considered

once the cost is deposited and evidence of the same is filed along with the restoration application.

8. The captioned application stands disposed with above directions.

MANOJ SAUNIK
Digitally signed by MANOJ SAUNIK
Date: 2026.03.10 17:09:07 +05'30'

Manoj Saunik
Chairperson, MahaRERA