BEFORE THE

MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

MUMBAI

SUO MOTO CASE NO. 34 OF 2019

Secretary, Maharashtra Real Estate Regulatory Authority ... Complainant

Versus

XLN Realtors ... Respondent/ Promoter

S.H. Modi & Associates (Chartered Accountant)

S. G. Dalvi & Associates (Project Architect) ... Project Professionals

**MahaRERA registration no: P51900011222**

**Corum**: Shri. Gautam Chatterjee, Chairperson, MahaRERA

Respondent/ Promoter did not appear.
No one appeared for Project professionals.

**Order (Ex-Parte)**

December 17, 2019

1. This is a Suo-Moto matter taken up by MahaRERA against the Respondent's project 'Belvedre Hills' which is registered with MahaRERA Registration No. P51900011222.

2. On review of the Respondent's project registration, it is observed that the project registration of the said project has lapsed on December 31, 2017 and thereafter, no extension of the date has been either sought or granted under the provisions of the Real Estate (Regulation and Development) Act, 2016 and the rules and regulations made thereunder. Further, the details available on the

project registration webpage show that the project is not yet completed. Moreover, the Respondent has not uploaded the Annual Audit Report of Statutory CA - Form 5 for F.Y. 17-18 and F.Y. 18-19 till date as required under the provisions of section 4(2)(l) and section 11(1) of the Real Estate (Regulation and Development) Act, 2016 read with Regulation 4 of the MahaRERA General Regulations, 2017.

3. Since, there have been no online complaints filed with MahaRERA in this project, as yet, this matter was taken up as a Suo Moto Complaint and the Respondent and Project Professionals, associated with the project, were called for the hearing. No one appeared for the Respondent and Project Professionals, associated with the project in spite of service of notice.

4. The project is a redevelopment project of Belvedre Hills Cooperative Housing Society (CHS). At this stage, when the project registration period has lapsed, the only way forward would be to protect the right of the allottees, which include every individual member of Belvedre Hills CHS and all buyers of apartments in the project, and to enable them to form an Association of allottees who can take an informed decision regarding carrying out the balance work to complete the project.

5. In view of the above facts, the Respondent - XLN Realtors, is hereby directed to handover the list of allottees of the said project, along with their contact details, to all the allottees of the said project, along with a copy of this order, and to enable the allottees to form an association of allottees and thereafter take an informed decision pertaining to the said project. Thereafter, the association of allottees may like to proceed under Section 7/8 of the Act as per the MahaRERA Order no. 8/2019 dated March 29, 2019.

6. The Respondent is directed to upload the Annual Audit Report of Statutory CA - Form 5 for F.Y. 17-18 and F.Y. 18-19 within 15 days from the date of this Order.

7. Consequently, the matter is hereby disposed of.

(Gautam Chatterjee)
Chairperson, MahaRERA