

BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY,
MUMBAI

Complaint No. CC12601196

Ashok Gupta

... Complainant/s

Versus

Sevenfold Construction LLP

... Respondent/s

MahaRERA Project Registration No. P51800053472

Coram: Shri. Mahesh Pathak, Hon'ble Member - I/MahaRERA.

The complainant appeared in person.

Ld. Adv. Bishwajeet Mukherjee appeared for the respondent.

FINAL ORDER

(Order Pronounced on Thursday, 18th June 2026)

(Matter reserved for orders on 27-04-2026)

(Hearing Through Hybrid Mode)

1. The complainant above named has filed this online complaint before the MahaRERA on 05-03-2026 mainly seeking directions from the MahaRERA, to the respondent, to refrain from creating further third party rights, direct the promoter to disclose the order of Hon'ble High Court dated 09-05-2023 prominently in the project information, to file affidavit disclosing number of flats sold and copies of agreements executed etc, as prescribed under the provisions of the Real Estate (Regulation & Development) Act, 2016 (hereinafter referred to as 'RERA') in the respondent's registered project known as "MINAL AND MADHAVKUNJ" bearing MahaRERA registration No. P51800053472 located at Andheri. (hereinafter referred to as the 'said project').
2. This complaint was heard by MahaRERA on several occasions and the same was heard finally on 27-04-2026 as per Circular no. 49 dated 12-09-2025 issued by

MahaRERA for hearing of complaints through Hybrid Mode. Both the parties have been issued prior intimation of this hearing, and they were also informed to file their written submissions if any. On the said dates of hearing, both the parties appeared as per their appearances recorded in the Roznamas and made their respective submissions. The MahaRERA heard the submissions of both the parties as per their appearances and also perused the available record.

3. After hearing the arguments of both the parties, the following Roznamas were recorded in this complaint:-

On 30-03-2026:

"First Hearing Matter" The complainant is present. The respondent is absent. The only prayer which is maintainable in the complaint is for showing the pending litigation, but specifically with respect to the order of the Hon'ble High Court dated 09-05-2023 and the other prayers are not maintainable prima facie. However, the respondent may file its reply accordingly within a period of two weeks i.e. by 13-04-2026. The complainant may file a rejoinder to the said reply of the respondent within a further period of one week i.e. by 20-04-2026. The matter is adjourned to 27-04-2026 for arguments on the issue of maintainability of this complaint."

On 27-04-2026:

"First Hearing Matter" Both parties are present. The respondent has filed its reply to the complaint, although late. Therefore, the complainant may file a rejoinder to the said reply within a period of two weeks along with written submissions i.e. by 11-05-2026. The respondent may also file its written submissions by the said date. It has already been clarified in the previous Roznama dated 30-03-2026 that the only prayer of the complainant, which is maintainable, is that the pending litigation may be disclosed in the project registration details on the MahaRERA website, and other prayers are not maintainable prima facie. The respondent has pointed out in its reply that the injunction granted on 09-05-2023 by the Hon'ble High Court in Interim Application No. 4513 of 2023 has been vacated (already rejected) by order dated 06-10-2025). However, the complainant refutes this contention of the respondent. Be that as



it may, it is clarified to both parties that all litigations along with the interim or final orders, are required to be disclosed in the project registration details. Accordingly, the matter is reserved for orders suitably after 11-05-2026 based on the arguments in the hearing as well as the reply, rejoinder and written submissions filed in the complaint."

4. Pursuant to directions in the aforesaid hearing, the complainant has uploaded written submissions and additional written submissions on record of MahaRERA on 21-05-2026. The complainant uploaded additional affidavit regarding continuing non-disclosure of litigation details on record of MahaRERA on 29-05-2026. The complainant uploaded application for taking additional grounds on record of MahaRERA on 03-06-2026. The MahaRERA has perused the available record.
5. It is the case of the complainant that the respondent-promoter be directed to disclose, on the MahaRERA portal, project website, booking forms, allotment letters, and all promotional materials, the pendency of First Appeal No. 1117 of 2018 and the order dated 09.05.2023 passed by the Hon'ble Bombay High Court, wherein it was recorded that no equities shall be claimed in respect of any construction carried out on the subject property. The complainant further prayed that the respondent be directed to issue written disclosures to all existing and prospective purchasers regarding the pending litigation and the risks arising therefrom; refrain from creating any further third-party rights, bookings, allotments, agreements for sale, or transfers in respect of the project without making full and complete disclosure of the pending litigation and the aforesaid High Court order; and update all project disclosures on the MahaRERA portal in accordance with the provisions of the Real Estate (Regulation and Development) Act, 2016 and the rules and regulations framed thereunder.
6. The respondent uploaded its reply on the record of MahaRERA on 24.04.2026. The respondent stated that the complaint was based solely on the observations recorded in the order dated 09.05.2023 passed by the Hon'ble Bombay High Court. However, according to the respondent, the complainant had suppressed subsequent developments, including the dismissal of similar applications and the rejection of Interim Application Nos. 1324 of 2018, 4513 of 2023, and 7662 of 2024 by order dated

06.10.2025. The respondent further stated that the complainant had no subsisting interest in the property, had repeatedly initiated multiple proceedings to delay the redevelopment, and had concealed the fact that the title challenge against the society had already been dismissed and that the society's ownership was undisputed. It was further stated that the order dated 09.05.2023 could not be relied upon, as the related interim application had subsequently been rejected. The respondent asserted that the society had clear title to the property, had lawfully granted redevelopment rights to the respondent, and that the present complaint was a mala fide attempt to obstruct the redevelopment project for personal gain. Accordingly, the respondent prayed for dismissal of the complaint with costs.

7. The complainant uploaded written submissions on the record of MahaRERA on 21.05.2026. The complainant stated that the respondents had attempted to contend that the title and/or conveyance rights concerning the subject property stood concluded on the basis of Suit No. 9134 of 2000, originally instituted before the Hon'ble High Court of Judicature at Bombay. The complainant stated that such reliance was misleading, incorrect, and contrary to the judicial record, as the certified copy of the proceedings demonstrated that the suit had never been adjudicated on merits and was merely dismissed for non-prosecution by order dated 19.10.2013. It was submitted that dismissal for default does not amount to adjudication of rights, cannot operate as *res judicata*, and does not constitute confirmation of title, validation of conveyance, adjudication of ownership rights, or extinguishment of objections concerning the subject property. The complainant further alleged that the respondents had suppressed the true legal nature of the dismissal and had attempted to create an impression that the title disputes had attained finality. It was also pointed out that the proceedings appeared to have been transferred to the City Civil Court despite jurisdictional concerns. The complainant stated that the dismissal order neither created any declaration of title nor conferred legitimacy upon the disputed conveyance claims. Accordingly, it was contended that no adverse inference could be drawn against the complainant on the basis of the said order and that the respondents could not rely upon it as conclusive proof of title, ownership, conveyance validity, or redevelopment authority. The complainant further stated

that parties were under a duty to place complete and correct facts before judicial and quasi-judicial forums and that the respondent had selectively relied upon the existence of the suit while suppressing the fact that it had been dismissed in default without any adjudication on merits. The complainant therefore contended that the respondents could derive no advantage from the said dismissal and reserved the right to rely upon additional documents and judicial precedents at the time of hearing.

8. The complainant uploaded additional written submissions on the record of MahaRERA on 21.05.2026. The complainant filed an Additional Affidavit-cum-Written Submissions placing on record documents to demonstrate continuing disputes concerning conveyance and title rights relating to the project land, the respondent-developer's prior knowledge of such disputes, continuing litigation risks, and incomplete disclosures before MahaRERA and purchasers. The complainant stated that a legal notice issued on behalf of Shri Ramanuj Co-operative Housing Society Ltd. to Minal Apartment Co-operative Housing Society Ltd., Madhav Kunj Co-operative Housing Society Ltd., Shri Nitin Jalan, and the respondent had specifically raised issues relating to disputed conveyance and title claims, redevelopment activities undertaken on the basis of disputed rights, pending litigation, suppression of material facts, and representations made before statutory authorities, including MahaRERA. It was further stated that the notice recorded that earlier proceedings concerning conveyance and title rights had not been adjudicated on merits, that disputes regarding conveyance and redevelopment rights continued to subsist, and that redevelopment activities had been undertaken despite knowledge of unresolved disputes. The complainant further stated that, despite full knowledge of pending litigation, competing conveyance claims, disputed rights, and litigation risks, the respondent continued redevelopment activities and made project representations before MahaRERA and prospective purchasers. According to the complainant, the documents established the existence of material disputes and litigation affecting the project land, the respondent's prior knowledge thereof, and the entitlement of purchasers and MahaRERA to complete and truthful disclosure. The complainant further stated that the respondent's reliance on subsequent court



orders demonstrated the materiality of earlier orders and reinforced the need for disclosure of litigation risks and court proceedings in the project registration details. It was also stated that First Appeal No. 1117 of 2018 remained pending before the Hon'ble Bombay High Court, that the rights and contentions of the parties had repeatedly been kept open, and that fresh proceedings, including Civil Suit No. 955 of 2026, had been instituted concerning related rights and disputes. Accordingly, the complainant contended that the project could not be represented as litigation-free or legally undisputed. The complainant further stated that the documents placed on record established incomplete disclosure of project-related litigation, continuing competing claims and disputes, prior knowledge of the respondent-developer, and suppression or non-disclosure of material litigation risks, thereby attracting consideration under Section 7 of the Real Estate (Regulation and Development) Act, 2016. The complainant therefore prayed for directions to ensure complete disclosure of all pending litigations and material court orders relating to MahaRERA Project Registration No. P51800053472, correction and updation of project disclosures, and consideration of action under Section 7 of the RERA.

9. The complainant uploaded an Additional Affidavit regarding continuing non-disclosure of litigation details on the record of MahaRERA on 02.06.2026. The complainant stated that MahaRERA, by Roznama dated 27.04.2026, had specifically recorded that all litigations, along with interim and final orders, were required to be disclosed in the project registration details. It was stated that the respondent had relied upon and referred to various litigations and court orders during the proceedings; however, the MahaRERA project page continued to display "No Litigation" under the litigation details section. According to the complainant, such non-disclosure raised serious concerns regarding the transparency, completeness, and accuracy of disclosures available to purchasers and members of the public. The complainant further stated that the issue was not confined to a single proceeding, as multiple litigations and orders concerning the project had been referred to by the respondent, yet none were reflected in the project registration details. It was further stated that the subsequent production of litigation proceedings before the Authority could not substitute complete and accurate disclosure in the public project



registration details. The complainant clarified that the affidavit did not seek adjudication of title but was confined to compliance with statutory disclosure obligations under the RERA. Accordingly, the complainant prayed for directions to the respondent to update all litigation details on the MahaRERA portal, upload all material litigation proceedings and court orders, disclose the status of First Appeal No. 1117 of 2018 and related proceedings, ensure that all future advertisements, brochures, and sale communications carry appropriate litigation disclosures, refrain from executing further bookings or sale agreements without disclosure of pending litigations and court orders, and explain why action under Section 7 should not be considered for continued non-disclosure.

10. The complainant filed a consolidated synopsis of post-Roznama developments dated 27.04.2026 and stated that MahaRERA had recorded that all litigations, along with interim and final orders, were required to be disclosed in the project registration details maintained on the MahaRERA portal. The complainant placed on record RTI replies indicating that the disclosures on the MahaRERA portal were based on information furnished by the promoter and contended that various litigations, proceedings, and judicial orders affecting the project land had not been disclosed despite their material relevance. The complainant also filed additional grounds under Section 7 of the RERA, raising issues relating to continuing non-disclosure, delayed disclosure, purchaser-risk implications, and representations made to the public. An Additional Affidavit regarding project area disclosure was also filed, relying upon MahaRERA portal records and title documents indicating competing claims, possession assertions, and conveyance-related disputes affecting portions of the larger property. The complainant consistently stated that the proceedings were not intended for adjudication of title but for examining statutory disclosure obligations and purchaser awareness. The complainant further sought interim protection and urgent relief on the ground that construction, marketing, and sale activities were continuing during the pendency of the complaint. Accordingly, the complainant requested findings on whether all material facts, litigations, and judicial orders had been fully disclosed; whether the information provided to purchasers was complete and accurate; whether the promoter had complied with its statutory



disclosure obligations; whether purchasers had been deprived of material information necessary for informed decision-making; whether action under Section 7 of the RERA was warranted; and whether corrective directions were required in the interest of transparency and purchaser protection.

11. The MahaRERA has examined the rival submissions made by both parties and also perused the available record. The complainant herein, by filing this complaint under Section 31 of the RERA, has approached MahaRERA mainly seeking reliefs under Section 7 of the RERA, for revocation of the said project registered granted in favour of the respondent.
12. The complainant has contended that the said project land is subject to pending title litigation before the Hon'ble Bombay High Court and that construction and sale of units are continuing despite judicial directions that no equities shall be claimed in respect of such construction. However, the said pending litigation and the High Court's order dated 09.05.2023 have not been disclosed to prospective purchasers on the MahaRERA website. Hence, the complainant sought directions to the respondent to ensure complete disclosure of all pending litigations and orders passed therein on the MahaRERA website under the provisions of the RERA.
13. The respondent has resisted the aforesaid claims of the complainant mainly contending that the complaint is false, vexatious and filed only to obstruct the redevelopment of Minal Co-operative Housing Society (owner of the project land), under the Indenture dated 20.03.1998. The present complaint is filed challenging the title of the said society. Further, the complainant and his family were granted rights only in respect of limited FSI under the agreement signed in the year 1998 and the disputes arising therefrom are already the subject matter of pending proceedings before the Hon'ble High Court in First Appeal No. 1117 of 2018. Further, the Minal CHSL appointed it as the developer under the Development Agreement dated 29.03.2022 for redevelopment of the dilapidated society's building and several applications and proceedings initiated by the complainant before the Hon'ble High Court have been rejected and that the complainant has repeatedly attempted to delay



the said redevelopment by suppressing material facts. Hence, the respondent has contended that the complainant has no subsisting right in the said project land and that the present complaint is liable to be dismissed as an attempt to stall the said redevelopment project.

14. Be that as it may, in the present case, the main grievance raised by the complainant pertains to disclosure of pending litigations and court proceedings concerning the said project on the MahaRERA website. The complainant has also sought various other reliefs including restraint on creation of third-party rights, disclosure to purchasers, and action under Section 7 of the RERA.
15. However, in the present as recorded in the Roznamas that, during the course of hearings held on dated 30-03-2026 and 27-04-2026., MahaRERA has clarified that the only prayer which is maintainable in this complaint is for disclosing the pending litigation on the MahaRERA website. Both parties have not disputed the said observations made by MahaRERA in the said Roznamas. Meaning thereby that the substantive reliefs sought by the complainant for revocation of the said project registration and injunction against the respondent from creating any third party rights in the said project are not maintainable within the limited scope of the present complaint.
16. In the present case, MahaRERA has noticed that the complainant has relied upon various litigations and orders passed by the Hon'ble Courts, including First Appeal No. 1117 of 2018 and other related proceedings, and has contended that the same have not been disclosed in the project registration details available on the MahaRERA website.
17. The respondent, on the other hand, has contended that the complaint is based mainly upon the order dated 09-05-2023 passed by the Hon'ble Bombay High Court and has further stated that subsequent proceedings, including rejection of Interim Applications by order dated 06-10-2025, have not been properly disclosed by the complainant. The respondent has also claimed that the redevelopment is being



carried out legally and that the complaint is not maintainable.

18. In this regard, MahaRERA is of the view that in the present complaint the issues pertaining to title, ownership, conveyance rights, validity of redevelopment rights, or competing claims raised by the parties cannot be adjudicated by MahaRERA for want of jurisdiction under the provisions of RERA. It is ostensibly because such issues are already subject matter of pending proceedings before competent courts and the same can only be adjudicated by the appropriate judicial forum.
19. However, MahaRERA can only ensure that the respondent being the promoter of the said project has maintained complete disclosures regarding pending litigations affecting the said project so that existing and prospective allottees are able to take informed decisions as provided under Section 4 of the RERA.
20. However, in the present case, on a bare perusal of the webpage information uploaded by the respondent on the MahaRERA website, it appears that the respondent has already disclosed First Appeal No. 1117 of 2018 on the MahaRERA website. Therefore, to that extent, the grievance of the complainant stands substantially addressed.
21. The record shows that, the complainant, however, has further submitted on record that the Civil Suit No. 955 of 2026 has been filed and the same is pending. From the available record, MahaRERA is unable to conclusively determine the merits of the said proceedings or the rights agitated by the parties therein. However, if the said Civil Suit No. 955 of 2026 pertains to the project land, thereby affecting the said project, the same constitutes a pending litigation which is required to be disclosed in the project registration on the MahaRERA website.
22. The MahaRERA is therefore of the considered view that the respondent shall verify the nature of Civil Suit No. 955 of 2026 and, if the said suit pertains to the project land or materially affects the said project, the respondent shall disclose the details of the said litigation on the MahaRERA website along with relevant interim or final orders



(if any), in accordance with the provisions of the RERA, within a period of 30 days from the date of this order.

23. With these observations and directions, the present complaint stands disposed of.

MAHESH Digitally signed
by MAHESH
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PATHAK Date: 2026.06.18
17:27:59 +05'30'


(Mahesh Pathak)

Member - 1/MahaRERA

