

Additional requirements for extension of validity of project registration

In terms of Section 7(3) of the Real Estate (Regulation and Development) Act, 2016 (“**Act**”), the Maharashtra Real Estate Regulatory Authority (“**MahaRERA**”) may, in the interest of the allottees, instead of revoking registration of a project under the Act, permit the promoter to continue with the project subject to such terms and conditions as it may deem fit which shall be binding upon the promoter.

MahaRERA had by its Order No. 40/2022 dated December 27, 2022 (“**Order**”) issued directions for *seeking extension of validity of project registration*. Thereafter, MahaRERA has by its supplementary order bearing Order No. 40A/2023 dated May 15, 2023 (“**Supplementary Order**”), provided for additional documents to be submitted by the promoter, in *Annexure A* annexed to the Supplementary Order.

The Supplemental Order *inter-alia* requires the promoter to provide:

- The reason for not obtaining the required percentage of consents, and the reason as to why the extension should be granted without the requisite percentage of consents.
- List of complaints filed before MahaRERA or any competent Court or forum with respect to the project, along with details and orders passed therein.
- A notarized declaration stating that the rights of allottees in the project would not be affected.

The aforementioned was notified vide order dated May 15, 2023 ([available here](#)).

This Update is meant for general information and shall not be deemed to be a legal advice or opinion. This Update is neither intended to be an advertisement or solicitation.

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