

APPLICATION FOR EXTENSION OF PROJECT COMPLETION DATE U/s 7 (3)
(Read with Circular No. 40 /2022 dated 27.12.2022)

Date: 18th January 2023

To,
The Chairman,
MahaRERA,
Bandra (East), Mumbai- 400 051.

Sub : Extension to the project bearing Registration No. P51800000947

Sir,

We hereby apply for extension u/s 7 (3) for the registered project Ekta Tripolis Phase I bearing MahaRERA registration No. P51800000947 comprising of two wings "A" and "B". Both the wings of the Project are complete in all respects since long and are OC Compliant.

1) Reasons why the required percentage of consents could not be obtained are as follows:

The Allottees are afraid as to if they give consent for extension of the RERA Project Completion then:

- a) they would lose their right to file Complaint against the Promoter before Authority.
- b) the Complaints filed before the Authority would be dismissed.
- c) they would not get any relief in the Complaint before the Authority.

2) Need for grant of Extension: Ekta Tripolis Phase I consists of two wings "A" and "B". Both the wings of the Project are complete in all respects since long and are OC Compliant. Annexed herewith is the Architect Certificate. It is only on account of the ongoing legal issues with MHADA that the Occupation Certificate for the Project is being delayed and thereby it is just and necessary that the Rera Project Completion Date of the said Project be extended which is also in the best interest of all the Allottees.

3) Grounds and Reasons for Delay in Completion of the Real Estate Project:

- (i) The a real estate project forms part of the Siddharth Nagar Patra Chawl layout situated at Goregaon, Mumbai ("larger land"), redevelopment whereof was a joint

venture redevelopment scheme between MHADA and Guru Ashish Constructions Pvt. Ltd ("GACPL") a sister concern of Housing and Area Development Ltd ("HDIL"). We are a sub-developer on a portion of the free sale portion of the above layout. We were given development rights by GACPL pursuant to approvals and permission given by MHADA/ Municipal Corporation of Greater Mumbai in that regard in respect of Plot No. R-6. On account of the *inter se* disputes and differences between MHADA and GACPL, our real estate project is adversely affected, which in no way is attributable to any acts/omissions on our part.

- (ii) In the year 2017, GACPL was placed into insolvency by the National Company Law Tribunal. By then we had already developed and substantially constructed the subject project based on the permissions and approvals granted by the various authorities and also created several third-party rights including sale of flats to various flat purchasers.
- (iii) By and under Notice dated 12th January 2018, MHADA suddenly terminated the Joint Development Agreement/s with GACPL owing to the failure of GACPL to comply with its obligations thereunder. Consequently, in February 2018 several developers including us approached the Hon'ble Bombay High Court challenging the said letter of termination and we filed a suit bearing Suit No. 815 of 2019 before the Hon'ble Bombay High Court. By Orders dated 28th February 2018 and 14th March 2018 in the interim applications filed in the said Suit, the Hon'ble High Court directed MHADA not to take any coercive steps against us and similarly placed Developers in respect of their plots. The suit is pending before High Court and as such its outcome will have a direct bearing on the outcome of the subject project.
- (iv) The Government of Maharashtra, has intervened considering the interest of the public at large and accordingly, issued Resolution dated 9th July, 2021 thereby finally breaking the deadlock and enabling further progress on the Larger Layout. By virtue of this Resolution, MHADA has been directed to enter into Consent Terms with the developers (which includes us) on the Larger Layout who have substantially completed the construction of their respective projects in terms of the said resolution.
- (v) Pursuant to the above, an Expert Technical committee has been formed, headed by Shri. Justice D K Deshmukh (Retd.) to oversee the process whereby the project on the larger layout that was to be undertaken by GACPL can be completed and the documents/ terms/arrangement to be entered into with developers to ensure these projects get the occupation certificate without any further delay and its allottees also get their homes.

- (vi) In consonance with the above mentioned General Resolution, several hearings have taken place before the above stated committee till date. MHADA has already placed its say on the issue before the said committee.
- (vii) The outcome of the committee's mandate ought to inevitably be grant of occupation certificate for the subject real estate project, which is already complete long ago. The General Resolution itself requires the MHADA to enter into consent terms inter alia with us alongwith the other developers who have substantially completed the construction of their respective project.
- (viii) All the concerned Developers have submitted their respective representations and submissions and the matter is also heard by the Hon'ble Expert Technical Committee. We are expecting positive resolution of all the issues shortly.

Yours truly,
For Ekta Everglade Homes Pvt. Ltd.

(Authorized Signatory)

DATE:- 31/12/2022

TO WHOMSOEVER IT MAY CONCERN

Subject: Certificate of Completion of Construction Work of Wings “A” and “B” of **EKTA TRIPOLIS PHASE I** having MahaRERA Registration Number **P51800000947** being developed by **EKTA EVERGLADE HOMES PVT. LTD.**

This is to certify that our client “**EKTA EVERGLADE HOMES PVT. LTD.**” have their project “**EKTA TRIPOLIS PHASE I**” proposed resi. bldg. no.1 in sub. plot no.r-6 in redevelopment of goregaon siddharth nagar sahakari hsg. soc. ltd.bearing c.t.s.no.18a/1,18a/2,22a/1to 22a/6,22a/7-a,22a/7-b,22a/8-a,22a/8-b,22a/9,22a/10,22a/11-a,22a/11-b,22a/12 to 22a/15 Of village goregaon & 260/1,260/2,260/3a,260/3b,260/4,260/5a,260/5b,260/6,260/7a,260/7b,260/8,260/9a,260/9b,260/10 to 260/19 village Pahadi Goregaon for Mumbai housing and area development board.

On basis of my inspection and certificate received from Structural Engineer and Site Supervisor, I certify that **Wing “A TO B”** of “**EKTA TRIPOLIS PHASE I**” having MahaRERA Registration Number “**P51800000947**” has been completed to my satisfaction and is fit for occupancy.

Thanks & Regards



AR. SAMEER DESAI
REG. NO. CA/2017/84861