



Siddhi

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 1115 OF 2026(F)

IN

SECOND APPEAL NO. 1114 OF 2026(F)

EDCON REAL ESTATE DEVELOPERS

REP. BY ITS PARTNER

... APPLICANT

Versus

THE GOA REAL ESTATE REGULATORY

AUTHORITY THR. ITS CHAIRPERSON ... RESPONDENT

Mr. A. F. Diniz, Senior Counsel with Mr. Ryan Menezes, Advocate for Applicant.

Mr. Neehal Vernekar, Additional Government Advocate for Respondent.

CORAM:- AMIT S. JAMSANDEKAR,J.

DATED :- 24th April, 2026.

P.C.

1. Heard Mr. Diniz, learned Senior Counsel for the Petitioner.

Mr. Neehal Vernekar, learned Additional Government Advocate for the Respondent.

2. In the present Second Appeal, the Appellant has impugned the order dated 10.04.2026 passed by the Maharashtra Real Estate Appellate Tribunal.

3. Hence, Admit the Second Appeal on the following substantial questions of law:-

(i) Whether the Respondent and/or the Tribunal had jurisdiction to consider whether the Agreement dated 01.02.2020 between the Appellant and land-owners, was required to be registered under the Registration Act?

(ii) Whether Section 13 of the Act restricts consideration to agreements for sale with allottees, and consequently de hors the said section, the Respondent and/or the Tribunal could not consider registration of an agreement for sale between an owner/land-owner, and developer/promoter?

(iv) Whether the Said Agreement required registration under the Registration Act, in the light of Section 17 and Section 27(2) of the Registration Act and proviso thereof, read with Section 54 of the Transfer of Property Act?

(v) Whether in an agreement that related only to the land, reference to the manner in future built up structures, proposed to be constructed in therein, which were not themselves the subject matter of the agreement, were to be shared and/or allotted, could not amount to creation of right and/or interest, so as to render the agreement registration under the Registration Act?

4. In view thereof, the learned Senior Counsel has not pressed for interim relief at this stage.

5. Mr. Neehal Vernekar, learned Additional Government Advocate waives service on behalf of Respondent.
6. List the matter for final hearing as per its turn.

AMIT S. JAMSANDEKAR, J.