



## Gujarat Real Estate Regulatory Authority

Phone : (079) 232-58659 | Website : <https://gujrera.gujarat.gov.in>

No. GujRERA/Order - 89/2024

Date: 23/02/2024

### OFFICE ORDER - 89

**Subject: Indicative guidelines for amicable settlement of complaints by internal mechanism.**

The Real Estate (Regulation & Development) Act, 2016 has come in to force with effect from 1 May, 2017.

Under this Act, the Government of Gujarat has established the Gujarat Real Estate Authority vide Notification No. GH/V/110 of 2017/PRC-102017-266915-1, dated 30th May, 2017, for regulation and promotion of real estate sector in the State of Gujarat, with its headquarter at Gandhinagar.

More than 13,000 Projects have been registered before this Authority under the provisions of Section 3 of the RERA Act, 2016 so far, out of which about 6,600 Projects have been completed.

Every year, more than 500 Complaints are being received by this Authority from the Allottees under Section 31 of the Act, 2016 for different issues i.e. Refund, Interest, Sale deed, Possession, Common Amenities, Repairs, Compensation etc.

Approximately one-year time period is being taken to deal with and decide the disputes on merits.

Presently, after completion of pleadings and submission of documents and written arguments, the Complaints are being placed for final hearing before the concerned Bench as per Roster.

Hence, for the purpose of saving time and money in litigation process, authority to decrease the hardship to the parties, thinks it is necessary to establish a facility, without any additional cost or penalties for amicable settlement in the complaints u/s 31 before the authority.

Therefore, considering the knowledge of law as a judicial officers and experience to deal with litigation proceedings, following presently working officers in the establishment are hereby appointed as Mediators for the aforesaid purpose.

1. Mr. P. R. Patel                      Adjudicating Officer

2. Mr. D. D. Rajput                  Legal Consultant

3. Mr. V. C. Barot                    Legal Consultant

4. Whenever required, authority may call upon authorized representatives from The Confederation of Real Estate Developers' Associations of India (CREDAI) as well as National Real Estate Development Council (NAREDCO).

Following indicative guidelines are prescribed for aforesaid purpose:

1. During the course of completion of the pleadings, concerned Legal Assistant in assistance of Scrutiny Officer (Ref: Order 69 of GujRERA dt: 17/08/2022), shall refer either himself or upon an application received by the parties to the complaint, for arranging two or three joint meetings with the parties/ Representatives, for amicable settlement between them, before the above-mentioned appointed Officers.

2. The process shall not be continued longer than **60 days** from the date of initiation of the mediation process.
3. If the parties are able to reach an amicable settlement, the matter shall be placed before the concerned bench for appropriate order. However, in case of failure to do so, the matter shall be placed before the concerned authority for adjudication after completion of pleadings.
4. For aforesaid purposes, distribution of the matters under mediation will be as below:
  - i. Matters pertaining to district Ahmedabad will be dealt by **Mr. P. R. Patel and Mr. D. D. Rajput**, matters relating to districts other than Ahmedabad will be dealt by **Mr. P. R. Patel and Mr. V. C. Barot**.  
And
  - ii. When there are more than one complaints for the project exist, such kind of complaints will be dealt by all three officers.



Anita Karwal, IAS (Retd.)

Chairperson

Gujarat Real Estate Regulatory Authority.