

Residential Construction Is Not Just
Engineering : It is a legal process.
Skipping Even One Statutory Step Can
Result In: *Stop-work notices / Heavy penalties / RERA cases /
Demolition risk / Buyer litigation*



If you are planning to Invest, build or purchase A Residential Apartment, Housing Project / Individual bungalow / Redevelopment project /Small builder (non-RERA project) or Special township etc. Each stage is governed by the several acts, rules and regulation for **Construction Approval ,Compliance Requirements,Drafting of Model Bye-Laws, and strict compliances of Municipal & Local Development Control Regulations etc.**

The investor / developer or buyer must strictly ensure mandatory legal compliances and contract clauses to avoid future conflicts or risk of potential losses,

- MRTP Act :Unauthorized construction, demolition
- Municipal Corporation Act penalties : Sealing, service disconnection, demolition
- RERA sections : Non-registration, delay, legal actions
- MOFA violations – Society formation & conveyance failures
- Labour (BOCW) penalties – Fines & imprisonment
- Fire & Environmental mandatory compliances violations
- Housing society / committee penalties
- Real-world consequences (loan rejection, resale blockage, insurance issues,sale & purchase etc.)

We Understand that the management of a Real Estate Projects , Co-operative Housing Society involves navigating various legal frameworks, including the Maharashtra Co-operative Societies Act, the Municipal Corporation Act, RERA, and other applicable rules and regulations.

Based on our extensive experience any real estate projects or housing society management responsibilities extend beyond statutory compliance to include promptly addressing issues such as maintenance disputes, trespass, unauthorized possession, theft, and any other legal breaches by the builder or third parties. All these issues require timely and efficient legal attention.

Day-to-day legal consultation related to the affairs of the society or real estate project needs to cover the legal risks associated with its transactions.

STEP-BY-STEP PROCESS FOR RESIDENTIAL BUILDING CONSTRUCTION TO HANDING OVER THE POSSESSION TO ITS LAWFUL OWNERS

PHASE 1: **LAND IDENTIFICATION & PURCHASE**

PHASE 2: **PROJECT PLANNING & DESIGN**

PHASE 3: **STATUTORY APPROVALS (PRE-CONSTRUCTION)**

PHASE 4: **RERA COMPLIANCE**

PHASE 5: **CONSTRUCTION STAGE**

PHASE 6: **COMPLETION & OCCUPATION**

PHASE 7: **POSSESSION & HANDOVER**

PHASE 8: **POST-POSSESSION COMPLIANCES**

Each stage needs to pass the strict legal requirements to avoid future consequences for both builder and property owners.

Reference Acts and Rules:

Maharashtra Co-operative Societies Rules, 1961

MahaRERA (Maharashtra Real Estate Regulatory Authority)

Maharashtra Real Estate (Regulation and Development) Rules, 2017

Maharashtra Regional and Town Planning (MRTP) Act, 1966

Unified Development Control and Promotion Regulations (UDCPR)

Maharashtra Co-operative Societies Act, 1960 (MCS Act)

Municipal Acts

Maharashtra Lift & Escalator Act

Building & Construction Workers Welfare Etc.

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