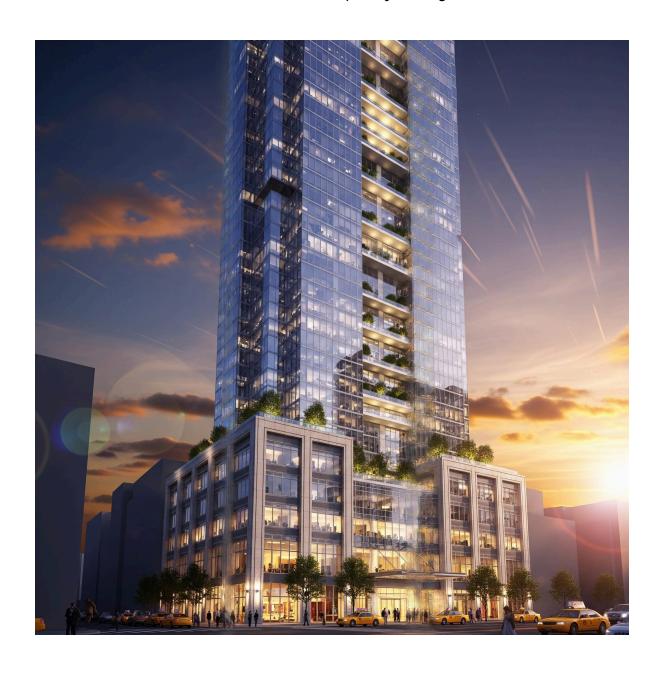


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1

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



Date-14 th Dec. 2025 - "Residential construction is not just engineering: it is a legal process. 2025:"



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2

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

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.



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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.

Astrea Legal Associates LLP

Contributed by

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