

BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

MUMBAI

Complaint No. CC001000000020204

Bhagchand Motilal Jain

...Complainant

Versus

JSN Properties LLP

...Respondent

MahaRERA Project Registration No. P49900018352

Coram: Shri. Mahesh Pathak, Hon'ble Member - I/ MahaRERA

The complainant appeared in person.

CMA Ashok Nawal a/w. Ld. Adv. Nidhi Nawal for JSN Properties LLP appeared for the respondent.

ORDER

(Thursday, 02nd November 2023)

(Through Video Conferencing)

1. The complainant above named has filed this online complaint before the MahaRERA on 03-10-2021 mainly seeking directions from the MahaRERA to the respondent to execute the agreement for sale with him and also to provide the amenities in the project as per the provisions of the Real Estate (Regulation & Development) Act, 2016 (hereinafter referred to as 'RERA') in respect of the booking of a flat in the respondent - promoter's registered project known as "Vasuakamal Vihar" bearing MahaRERA project registration No. **P49900018352** located at Jalgaon.
2. This complaint was heard by the MahaRERA on 26-07-2023 as per the Standard Operating Procedure dated 12-06-2020 issued by MahaRERA for hearing of complaints through Video Conferencing. Both the parties have been issued prior intimation of this hearing and they were also informed to file their

written submissions if any. Accordingly, both the parties appeared and made their submissions. The MahaRERA heard the arguments of both the parties and perused the available records.

3. After hearing the arguments of both the parties, the following Roznama was recorded in this complaint-

“Both the parties are present.

The matter was kept today for final arguments. Accordingly, the complainant has pointed out that the prayers in the complaint are for execution of the sale deed as well as completion of the amenities. Admittedly, the complainant has obtained possession of his flat for which the respondent has registered an FIR as the said possession has been taken forcibly. The respondent has also pointed out that the last installment due from the complainant has also not been paid. However, the complainant has pointed out that the entire sum of loan from the Canara Bank has already been disbursed and received in the favour of the respondent. However, the last installment and commuted interest has not been paid which is usually done after issuance of the possession delivery letter (PDL). The complainant has uploaded the documents in the complaint and the respondent has also filed its reply.

Both the sides are granted one week's time i.e. by 02-08-2023 to file written arguments in the complaint. The complainant is also directed to upload the copy of the agreement for sale.

Accordingly, this matter is reserved for orders suitably after 02-08-2023 based on the arguments of both the sides as well as reply, rejoinder and written arguments filed in the complaint.”

4. However, in the present case, the MahaRERA has noticed that on 20-10-2023,

the complainant has uploaded a withdrawal letter dated 19-10-2023 duly signed by the complainant on record of MahaRERA seeking withdrawal of this complaint. The respondent has not uploaded any written submission on record of MahaRERA objecting to the said withdrawal application filed by the complainant. Hence, the said withdrawal application is accepted and taken on record.

5. Consequently, the present complaint stands disposed of as withdrawn.



(Signature)

(Mahesh Pathak)

Member - 1/MahaRERA