BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY, MUMBAI

Complaint No. CC004000000070584

Jaydeep Mahesh Jasani ... Complainant

Versus

Om Shivam Buildcon Pvt Ltd ... Respondent

MahaRERA Project Registration No. P50500018424

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

Both the parties are absent.

ORDER

(Monday, 22nd July 2024)

(Through Video Conferencing)

1. The complainant above named has filed this online complaint before MahaRERA on 29-01-2024 mainly seeking directions from MahaRERA to the respondent - promoter to complete the construction, to handover the possession of the said flat and also to pay interest for the delayed possession as prescribed under the provisions of section 18 of the Real Estate (Regulation & Development) Act, 2016 (hereinafter referred to as 'RERA') in respect of the booking of a flat bearing no. 1402, 14th floor, in Tower A - Purna in the respondent – promoter's registered project known as **"Shiv Kailasa Phase I"** bearing MahaRERA registration no. **P50500018424** located Mouza - Sondapar (Rithi), Ph. No. 77, Tah. - Hingna, Distt - Nagpur.

2. This complaint was heard by the MahaRERA on 19-03-2024 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 for the said hearing and submitted that they are ready and willing to resolve the matter amicably through MahaRERA Conciliation Forum. Hence, on request of both the parties, this complaint was referred to MahaRERA Conciliation Forum for further appropriate action.

3. Accordingly, both the parties appeared before the MahaRERA Conciliation Forum finally on 20-06-2024 when they resolved the matter amicably. The same is recorded in the proceedings of the MahaRERA Conciliation Forum.

4. Thereafter, this complaint was transferred to this Bench, by the MahaRERA Conciliation Forum on 04-07-2024 with the remarks as 'Conciliation Successful'.

5. Accordingly, this complaint was scheduled for hearing today, when despite notice of hearing, both the parties remained absent. Hence, the MahaRERA has perused the available record.

6. During the course of hearing, the MahaRERA has noticed that both the parties have settled the matter amicably before the MahaRERA Conciliation Forum. Accordingly, both the parties have signed a joint pursis cum withdrawal application dated 20-06-2024. A copy of the said joint pursis cum withdrawal application dated 20-06-2024 duly signed by both the parties is annexed to the Roznama of MahaRERA Conciliation Forum dated 20-06-2024. Both the parties, despite notice of hearing have neither appeared for the hearing nor have filed any reply / written submissions on record of MahaRERA objecting to the said settlement / joint pursis cum withdrawal application dated 20-06-2024. Hence, the said joint pursis cum withdrawal application dated 20-06-2024 is accepted

and taken on record along with the Roznama of MahaRERA Conciliation Forum dated 20-06-2024.

7. In view of the above, since both the parties have settled the matter, nothing survives in this complaint.

8. Consequently, the present complaint stands disposed of as settled and withdrawn as per the said joint pursis cum withdrawal application dated 20-06-2024.

(Mahesh Pathak)

Member – 1/MahaRERA