BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY, MUMBAI

Complaint No. CC12400580

Mithilesh Krishnarao Raut ... Complainant

Versus

Om Shivam Buildcon Private Limited ... Respondent

MahaRERA Project Registration No. P50500018424

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

Both the parties are absent.

ORDER

(Monday, 03rd February 2025)

(Through Video Conferencing)

1. The complainant above named has filed this online complaint before MahaRERA on 25-10-2024 mainly seeking directions from MahaRERA, to the respondent – promoter, to handover the possession and also to pay interest and compensation for the delayed possession as per 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. 1104 in Tower 1 in the respondent – promoter's registered project known as **"Shiv Kailasa Phase I"** bearing MahaRERA registration no. **P50500018424,** located at Hinga, Dist. Nagpur.

2. This complaint was heard by the MahaRERA on 04-11-2024 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, the complainant appeared for the said hearing and submitted that he is ready and willing to resolve the matter amicably with the respondent through MahaRERA Conciliation Forum. Hence, on request of the complainant, this complaint was referred to MahaRERA Conciliation Forum

for further appropriate action.

3. Accordingly, both the parties appeared before the MahaRERA Conciliation Forum on several occasions and finally on 20-01-2025 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 24-01-2025 with the remarks as 'Conciliation Successful'.

5. Accordingly, this complaint was scheduled for hearing today. However, despite the notice of hearing, both the parties remained absent.

6. During the course of hearing, the MahaRERA has noticed that both the parties have settled the matter amicably before the MahaRERA Conciliation Forum. The same is recorded in the Roznama of the MahaRERA Conciliation Forum dated 20-01-2025. However, both the parties despite the notice of hearing, have neither appeared nor have filed any reply / written submissions on record of MahaRERA objecting to the said settlement. Hence, the said Roznama of the MahaRERA Conciliation Forum dated 20-01-2025 is accepted and taken on record.

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

8. Consequently, this complaint stands disposed of as settled.

(Mahesh Pathak)

Member – 1/MahaRERA