BEFORE THE

MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

MUMBAI

COMPLAINT NO: CC006000000000788

Brian Aranha ... Complainant

Versus

RNA Corp Pvt. Ltd (Anubhav Anilkumar Aggarwal)
MahaRERA Regn. No: P51700008296 ... Respondent

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA
Complainants were represented by Mr. Nilesh Das, Adv
Respondent represented by Ms., Deepashri Raorane,Adv

Order

February 05, 2021

1. The Complainant has filed the present application for noncompliance of the MahaRERA Order dated December 29, 2017 in Complaint no: CC006000000000788 (hereinafter referred to as the said Complaint) by the Respondent.

2. The complaint was disposed of after revealing that both the parties agreed in lieu of the delay in handing over the possession of the flat, the respondent shall not raise the balance 3% consideration amount demand and shall be treated as interest for delay, payable by the Respondent to the Complainant.

3. Hearing was held through video conference as per MahaRERA Circular no. 27/2020 and MahaRERA Order no: 15/2020.

4. During the hearing, the learned counsel of the Respondent submitted that that by virtue of an Order dated August 20, 2019 in CP (IB) No. 909/I & BP/MB/2019 passed by the Hon'ble National Company Law Board Tribunal (NCLT), Mumbai bench, the Respondent is under an insolvency resolution process and that an insolvency resolution professional has already been appointed by the said Order. Therefore, she submitted that the present complaint cannot be proceeded with until the said insolvency resolution process is completed.

5. In view of the above, though the non-execution application filed by the Complainant, the relief cannot be granted at this juncture. The Respondent to upload the said NCLT order in MahaRERA website.

6. Consequently, the present application is therefore disposed of.

(Dr. Vasant Prabhu)
Secretary, MahaRERA