

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000001926

Santanu Nandy

... Complainant

Versus

Rajesh Estates and Nirman Pvt. Ltd.
MahaRERA Regn. No. P51700008352

... Respondent

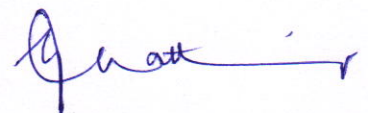
Corum: Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was represented by Mr. Avinash Pawar, Adv.
Respondent was represented by Mr. Kartik Vedant, Adv.

Order

January 16, 2019

1. The Complainant had booked an apartment in the Respondent's project 'Raj Torres Phase II Wing A Wing B Wing C Wing D Wing E' situated at Ghodbunder Road, Thane in 2015 through an allotment letter and though the possession was promised by December, 2017, the Respondents have failed to do so. Further, he stated that the project has been completed till plinth level only and the Respondent has not demanded any further payments till date. Therefore, the Complainant prayed the Respondent be directed to refund the entire amount paid.
2. The learned counsel for the Respondent submitted that the Respondent is willing to execute and register the agreement for sale in the project which is now a MahaRERA registered project and which will be completed as per the disclosures made in the webpage.
3. In view of the above facts, if the Complainant reconsiders his stand and desires to continue in the project, the parties are directed to execute and register the agreements for sale, as per the provisions of section 13 of the Real Estate (Regulation and



Development) Act 2016 and the rules and regulations made thereunder within 30 days from the date of this Order.

4. Alternatively, if the Complainant intends to withdraw from the said project then such withdrawal shall be guided by the terms and conditions of the allotment letter.
5. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA