

BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

CORAM :- SHRI W. K. KANBARKAR, ADJUDICATING OFFICER, PUNE-I

CC006000000100617/APPL/NC/2

Neeraj Singhal

.. Complainant

Versus

Karamvir Rajpurohit.

.. Respondent

Appearance :-

Complainant : Adv. Nilofer Shaikh

Respondent : Absent

MahaRERA Project Registration No.P51800005894

ORDER

(30th JAN. 2025)

1. As per final order passed in the present complaint on dated 24.01.2020 passed by Hon'ble Member-I, MahaRERA, directed the respondent to refund the amount paid by the complainant, etc. and thereby complaint stood disposed off.
2. Heard Adv. for the complainant who submits that agreed consideration of the flat as per agreement for sale was Rs. 98,00,000/- out of which complainant has paid Rs.98,00,000/- including stamp duty, registration charges, taxes, etc. Respondent has agreed to refund amount of Rs. 1,38,31,333/-. Respondent has paid Rs. 1,08,00,000/- in Nov. 2024. Further submits that Writ Petition filed before the Hon'ble High Court is disposed off vide order, dated 24.09.2024. Therefore, prayed for issuance of recovery warrant. On the other hand, respondent absent on 16.01.2025 and today in spite of service of notice of hearing and hence submission of respondent is not on record.
3. In non-compliance application vide order, dated 21.04.2023 passed by the MahaRERA Authority vide para 6 observed that the complaint was disposed in view of the under taking filed by the respondent. However, the complainant has

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filed a suit before the Hon'ble High Court. Hence the present application cannot be decided at this state since the case before the Hon'ble High Court is still pending. However, observed in para 7 of the said order, in view of the above the present application stood disposed off and the complainant is at liberty to approach the MahaRERA Authority again after the decision of the Hon'ble High Court. Adv. for the complainant submits that writ petition filed before the High Court is disposed off vide order dated 24.09.2024 and prayed for issuance of recovery warrant. However, copy of the said order of the Hon'ble High Court is not yet furnished by the complainant.

4. Thus in the light of aforesaid final order, dated 24.01.2020 and further order in non-compliance application dated 21.09.2023, and submission on record, just and proper to issue recovery warrant for recovery of dues from the respondent.
5. Accordingly, issue recovery warrant for recovery of dues from the respondent as per the aforesaid final order, addressing to the District Collector concerned, **on furnishing copy of order passed by the Hon'ble High Court on 24.09.2024** and further requisite and entire papers by the complainants within a period of 30 days from the date of this order, failing which the present non-compliance application automatically stands dismissed and disposed off.

Pune
Date :- 30.01.2025


(W.K. Kanbarkar)
Adjudicating Officer, MahaRERA, Pune