BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY, MUMBAI

Complaint No. CC006000000395904

Jamuna S Charania ... Complainant

Versus

Ruparel Realty ... Respondent

MahaRERA Project Registration No. P51800020602

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

None appeared for the complainant.

Ld. Adv. Sakina Kothari appeared for the respondent.

ORDER

(Thursday, 28th December 2023)

(Through Video Conferencing)

1. The complainant above named has filed this online complaint before MahaRERA on 23-05-2023 mainly seeking directions from MahaRERA to the respondent - promoter to refund the amounts paid by him as prescribed under the provisions of the Real Estate (Regulation & Development) Act, 2016 (hereinafter referred to as 'RERA') in respect of the booking of a flat bearing no. 301, 3rd floor in the respondents – promoters' registered project known as **"Ruparel Pride"** bearing MahaRERA registration no. **P51800020602** located at Kurla, Mumbai.

2. This complaint was heard by the MahaRERA on 26-06-2023 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 on 25-08-2023 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 20-12-2023 with the remarks as 'Conciliation Successful'.

5. Accordingly, this complaint was scheduled for hearing today when the respondent appeared and made its submissions. However, despite the notice of hearing, the complainant remained absent.

6. During the course of hearing, the respondent has stated that both the parties have settled the matter amicably before the MahaRERA Conciliation Forum. Accordingly, they have signed the consent terms on 2-11-2023. The respondent has uploaded the consent terms dated 02-11-2023 duly signed by both the parties on record of MahaRERA on 09-11-2023. The respondent confirmed the said settlement and consent terms dated 02-11-2023 during the hearing today. The complainant has neither appeared for the hearing today despite notice nor has filed any reply / written application on record of MahaRERA disputing the said settlement and consent terms dated 02-11-2023. Hence, the said consent terms are accepted and taken on record.

7. In view of the above, since both the parties have settled the matter amicably and signed the consent terms, nothing survives in this complaint.

8. Consequently, the present complaint stands disposed of as settled as per the said consent terms.

(Mahesh Pathak)

Member – 1/MahaRERA