BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

MUMBAI

1. Complaint No. CC006000000591502/APPL/RM/1

In

Complaint No. CC006000000591502

Girish Ramnath Koltharkar ... Applicant/s

Versus

Niraj Vijay Thaker ... Respondent/s

Along with

2. Complaint No. CC006000000591526/APPL/RM/1

In

Complaint No. CC006000000591526

Girish Ramnath Koltharkar ... Applicant/s

Versus

Ashok Narkar And Satyavijay Narkar ... Respondent/s

Along with

3. Complaint No. CC006000000591557/APPL/RM/1

In

Complaint No. CC006000000591557

Girish Ramnath Koltharkar ... Applicant /s

Versus

Dhimant Shah ... Respondent/s

Along with

4. Complaint No. CC006000000591555/APPL/RM/1

In

Complaint No. CC006000000591555

Girish Ramnath Koltharkar ... Applicant /s

Versus

Mr. Appukutty Preman And Mrs.Valsala Preman ... Respondent/s

MahaRERA Project Registration No. P51800052194

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

Ld. Adv. Mansi Pilankar appeared for the applicant – promoter – through VC.

The respondent – allottee at Sr. No. 3 appeared in person – through PH.

The respondent – allottees at Sr. No. 1, 2 and 4 are absent.

ORDER

(Wednesday, 14th January 2026)

(Hearing Through Hybrid Mode)

1. The applicant - promoter above named has filed these 4 separate online complaints before the MahaRERA on 10-08-2024 (Sr. No.1), on 12-08-2024(Sr. No.2) and on 14-08- 2024(Sr. Nos. 3 and 4), mainly seeking directions from MahaRERA, to the respondent – allottees, to pay the amounts as per the demands raised by the complainant-promoter, as prescribed under the provisions of the Real Estate (Regulation & Development) Act, 2016 (hereinafter referred to as 'RERA'), in respect of the booking of the flats in by the respondent – allottees in the applicant- promoter's registered project known as **"Padmavati Aadesh"** bearing MahaRERA registration no. **P51800052194** located at Dahisar, Taluka-Borivali, Dist. Mumbai Suburban.

2. The aforesaid complaints were heard and disposed of vide a common order dated 14-11-2025.

3. However, the applicant – promoter has filed these Remand Applications in these complaints seeking compliance of the said common order dated 14-11-2025 passed by the MahaRERA.

4. These Remand Applications were heard by the MahaRERA today as per the Circular No. 49 dated 12-09-2025 issued by MahaRERA for hearing of complaints through Hybrid Mode. Both the parties have been issued prior intimation of this hearing, and they were also informed to file their written submissions if any. Accordingly, applicant and respondent allottee at Sr. No. 3 appeared and made their respective

submissions. The MahaRERA heard the arguments of both parties and perused the available records.

5. During the course of hearing, the MahaRERA has noticed that these applications are, in fact, non-compliance applications in respect of the order passed by the MahaRERA dated 14-11-2025 in the original complaints bearing Nos. CC006000000591502, CC006000000591526, CC006000000591557 and CC006000000591555, filed by the applicant–promoter.

6. However, it appears that the applicant-promoter has wrongly filed these applications by selecting the incorrect tab, i.e., 'Remand' instead of the 'NC' (Non-Compliance) tab. Therefore, these applications filed under the incorrect 'Remand' tab cannot be transferred to the appropriate authority as non-compliance applications in view of the delegation of powers. Hence, the said technical defect needs to be rectified.

7. In view of the above, the following order is passed:-

a) These online remand applications filed by the applicant promoter stand disposed of as not maintainable in the form in which they have been filed.

b) The applicant promoter is granted liberty to file a non-compliance application in the original complaints.

c) The Registry of this Bench is directed to facilitate the applicant in complying with the directions at point No. (b) above, for filing the non-compliance applications.

8. With the aforesaid directions, these online remand applications stand disposed of.

MAHESH DINKAR PATHAK
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Date: 2026.01.16 11:22:21 +05'30'

(Mahesh Pathak)
Member – 1/MahaRERA