BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY, MUMBAI

Complaint No. CC006000000591525

Girish Ramnath Koltharkar ... Complainant

Versus

RAMRATAN VYAS

JAYWANTI VYAS ... Respondents

MahaRERA Project Registration No. P51800052194

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

Ld Adv Mansi appeared for the complainant.

None appeared for the respondent.

Dhimant Shah, representative appeared for the Society formed in the project.

ORDER

(Thursday, 17th April 2025)

(Through Video Conferencing)

1. The complainant - promoter above named has filed this online complaint before the MahaRERA on 12-08-2024 mainly seeking directions from MahaRERA, to the respondent – allottees , to pay the balance consideration as agreed between the parties as per the provisions of the Real Estate (Regulation & Development) Act, 2016 (hereinafter referred to as 'RERA'), in respect of the booking of a flat by the respondent allottees, in the complainant – promoter's registered project known as **"Padmavati Aadesh"** bearing MahaRERA registration no. **P51800052194,** located at Borivali, Mumbai.

2. This complaint was heard by the MahaRERA on 09-09-2024 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 the said hearing and they were also informed to file their written submissions, if any. Accordingly, both 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 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 several occasions and finally on 02-01-2025 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, through Registry on 29-03-2025 with the remarks as 'Conciliation Successful'.

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

6. During the course of hearing, the complainant – promoter has stated that both the parties have settled the matter amicably before the MahaRERA Conciliation Forum. Accordingly, the complainant – promoter has signed withdrawal application dated 17-03-2025. The complainant – promoter has also uploaded a copy of the said withdrawal application dated 17-03-2025 on record of MahaRERA on 17-03-2025-. The complainant – promoter confirmed the said settlement and withdrawal of this complaint during the hearing today. However, the respondent – allottees, despite the notice of hearing, have neither

appeared nor have filed any reply / written submissions on record of MahaRERA objecting to the said settlement / withdrawal application filed by the complainant. Hence, the said withdrawal application dated 17-03-2025 filed by the complainant is accepted and taken on record along with the Roznama of the MahaRERA Conciliation Forum dated 02-01-2025.

7. In view of the above, since both the parties have settled the matter amicably, nothing survives in the complaint.

8. Consequently, this complaint stands disposed of as settled and withdrawn.

(Mahesh Pathak)

Member – 1/MahaRERA