BEFORE THE MAHARASHTRA

REAL ESTATE REGULATORY AUTHORITY, MUMBAI

Hearing held through Hybrid mode

1. COMPLAINT NO.: CC12600687 (Sr. No. 75)

GANGA DNYANESH PATIL …COMPLAINANT/S

VS

SHANTPRABHA CO OPERATIVE HOUSING SOCIETY LIMITED …RESPONDENT/S

a/w

2. COMPLAINT NO.: CC12600727 (Sr. No. 76)

DNYANESH SATISH PATIL …COMPLAINANT/S

VS

SHANTPRABHA CO OPERATIVE HOUSING SOCIETY LIMITED …RESPONDENT/S

MAHARERA PROJECT REGISTRATION NO. P51800052544

Interim Order
May 20th, 2026
(*Date of Hearing: 18.05.2026*)

Coram: Manoj Saunik, Chairperson, MahaRERA
Advocate Umang Thakkar i/b Advocate Disha Shah appeared for the Complainants at Sr. Nos. 1 and 2.
Advocate Amit Maurya i/b LIM LEGIT appeared for the Respondents at Sr. Nos. 1 and 2.

1. During the course of the hearing, it was noted that the captioned complaints were filed by two members of the same family and have been listed as per seniority. The learned counsel for the complainants at Sr. Nos. 1 and 2 further submitted that miscellaneous applications had been filed in the captioned complaints seeking directions to restrain the respondent-promoter from creating any third-party rights in respect of the disputed flats.

2. Upon perusal of the documents placed on record and hearing the learned advocate for the complainants, it is apparent that there is a possibility of third-party rights being created unless the respondent-promoter is restrained, which is also reflected in the respondent's own communications with the complainants.
3. In light of the above, the Authority finds it necessary to restrain the respondent-promoter from creating any third-party rights in the flats in question.
4. It is further noted that the complainant at Sr. No. 2 has filed a single complaint for two flats which is not as per prescribed rules under RERA for filing of complaint. However, in the interest of natural justice and for the purpose of conserving the time and resources of the Authority, the complainant is directed to deposit with MahaRERA Rs. 5000/- towards court fees pertaining to the remaining one unit in dispute. The proof of deposit of a total amount of Rs. 5,000/- shall be filed or uploaded on record in the complaint login on the MahaRERA portal by 25.05.2026.
5. Therefore, the respondent-promoter is hereby restrained from creating any third-party rights in respect of the three flats covered under the aforesaid two miscellaneous applications.

MANOJ SAUNIK Digitally signed by MANOJ SAUNIK Date: 2026.05.20 17:42:44 +05'30'

Manoj Saunik
Chairperson, MahaRERA