BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY, MUMBAI

Complaint No. CC005000000370983

Along with

Application No. CC005000000370983/APPL/WD/1

Shrikant Madhukar Joshi ... Complainant

Versus

Paranjape Schemes (Construction) Ltd ... Respondent

MahaRERA Project Registration No. P52100000067

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

The complainant appeared in person.

None appeared for the respondent.

ORDER

(Tuesday, 03rd December 2024)

(Through Video Conferencing)

1. The complainant above named has filed this online complaint before MahaRERA on 22-05-2024 mainly seeking directions from MahaRERA, to the respondent - promoter to pay compensation for the delayed possession 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 in the respondent – promoter's registered project known as **"Forest Trails Highland Tower 9, 10 and 11"** bearing MahaRERA registration no. **P52100000067** located Mulshi, Dist. Pune.

2. This complaint was heard by the MahaRERA on 24-06-2024 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 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 finally on 27-08-2024 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 08-11-2024 with the remarks as 'Conciliation Successful'.

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

6. During the course of hearing, the complainant has submitted that both the parties have settled the matter amicably before the MahaRERA Conciliation Forum and have signed the Consent Terms on 16-11-2024. Accordingly, the complainant has also filed a withdrawal application bearing No. CC006000000428713/APPL/WD/1 before the MahaRERA on 20-11-2024. The said consent terms dated 16-11-2024 duly signed by both the parties are annexed with the said withdrawal application. The complainant confirmed the said settlement/consent terms dated 16-11-2024, during the hearing today. Despite the notice of hearing, the respondent has neither appeared for the hearing nor has filed any written submissions on record of MahaRERA objecting to the said settlement/consent terms. Hence, the said withdrawal

application filed by the complainant on 20-11-2024 is accepted and taken on record along with the consent terms dated 16-11-2024 duly signed by both the parties.

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 said withdrawal application (**CC005000000370983/APPL/WD/1**) is accepted and accordingly, the present complaint stands disposed of as settled and withdrawn as per the said consent terms. However, the liberty is granted to the complainant to file a non-execution application, in case the respondent does not comply with the said consent terms.

(Mahesh Pathak)

Member – 1/MahaRERA