## BEFORE THE

## MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY MUMBAI

COMPLAINT NO: CC006000000089917

Ashwin Jain	•••	Complainant	
Versus			
Acme Realties Private Limited			
MahaRERA Regn. No:			
P51800002133			Respondent

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was present during initial hearings, not present on the date of final hearing. Respondent represented by Authorized Representatives.

## **Ex-parte Order**

July 31, 2020

- 1. The Complainant has stated that he has booked an apartment bearing No. 405- D in the Respondent's project 'Boulevard Tower 4' situated at Andheri, Mumbai in August, 2013 and that at the time of booking the Respondent had promised to handover possession by June 2018. The Complainant has alleged that even though he has paid a significant amount to the Respondent, the Respondent has failed to execute and register the agreement for sale and hand over possession of the apartment till date. Therefore, he prayed the Respondent be directed to either handover possession of the apartment and pay him interest or refund the amounts paid along with interest
- 2. On the first date of the hearing, the learned counsel for the Respondent explained that the project completion was delayed due to certain mitigating circumstances and that the project is completed up to the 26<sup>th</sup> floor and the Respondent shall handover possession of the apartment by December, 2020. He further submitted that the

Respondent has on several occasions asked the Complainant to come forward to execute and register the agreement for sale.

- 3. Parties were given time to settle the matter amicably.
- 4. On the final date of hearing on July 30, 2020, even though the Complainant has uploaded precipe dated July 30, 2020 that he will be participating himself in the virtual hearing as per MahaRERA Circular no: 27/2020 he was not present for the same.
- 5. The Authorised representative for the Respondent submitted the parties have already settled their dispute and the agreement for sale has also been executed and registered between the parties with the date of handing over possession mentioned therein as December, 2020 and that no further dispute remains between the parties. The Respondent has also uploaded parts of the said agreement and letter dated July 24, 2019 sent to the Complainant by the Respondent.
- 6. In view of the above facts, since no cause of action remains, the Complaint is hereby disposed of.

Gautam Chatterjee Chatterjee Digitally signed by Gautam Chatterjee Date: 2020.07.31 11:37:40 +05'30'

(Gautam Chatterjee) Chairperson, MahaRERA