

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

1. COMPLAINT NO. CC006000000055657  
Rohit Khanna
2. COMPLAINT NO. CC006000000055014  
Rahul Jain and Upma Jain

... Complainants

Versus

Omkar Ventures Pvt. Ltd.  
MahaRERA Regn. No. P51800014105

... Respondent

**Corum:** Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainants were represented by Adv. Dinesh Rane.  
Respondent was represented by Adv. Devendra Patankar.

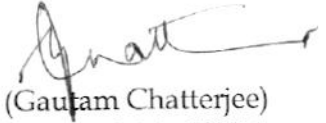
**Order**

(March 04, 2020)

1. The present applications have been filed for non-compliance by the Respondent, in the complaints bearing nos. CC006000000055657 and CC006000000055014, wherein an Order dated September 19, 2018 (hereinafter referred to as the *said Orders*) was passed by the Authority. In the said Order, the parties were directed execute and register agreements for sale, under the provisions of section 13 of the Maharashtra Real Estate (Regulation and Development) Act, 2016.
2. During the course of the hearing, Respondent submitted that a first appeal against the said Orders has been preferred in the Appellate Tribunal and hence, contested for the matter to be heard before this Authority.



3. In view of the above, since the said Orders has been already raised before the Hon'ble Maharashtra Real Estate Appellate Tribunal (MahaREAT), the present applications for non-compliance stand dismissed.



(Gautam Chatterjee)  
Chairperson, MahaRERA

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

1. COMPLAINT NO. CC006000000055657  
Rohit Khanna

2. COMPLAINT NO. CC006000000055014  
Rahul Jain and Upma Kothari

... Complainants

Versus

Omkar Ventures Pvt. Ltd.  
MahaRERA Regn. No. P51800014105

... Respondent

Corum: Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainants was represented by Mr. Dinesh Rane, Adv.  
Respondent was represented by Mr. Devendra Patankar, Adv.

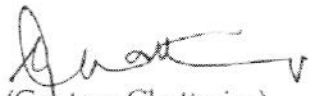
**Order**

September 19, 2018

1. The Complainants had booked apartments in the Respondent's project 'Lawns and Beyond - Phase 2, Omkar International District' situated at Andheri, Mumbai. The Complainants stated that the Respondent failed to make the allotments and therefore they requested the Respondent to refund the amounts paid by them as agreed by the Respondent. The Complainant therefore, prayed that the Respondent be directed to refund the entire amount paid.
2. The learned counsel for the Respondent submitted that the Respondent is willing to execute and register the agreements for sale and handover possession of the apartments by March, 2022. Further, he submitted that if the Complainants want to withdraw from the project the Respondent will refund the amount paid by the Complainants.



3. In view of the above facts, the Respondent shall refund the amount paid by the Complainant as per the terms and conditions of the booking letter or as agreed between the parties within 30 days from the date of this Order.
4. Alternatively, if the Complainants intend to continue in the said project, the parties are directed to execute and register the agreements for sale, as per the provisions of section 13 of the Real Estate (Regulation and Development) Act 2016 and the rules and regulations made thereunder within 30 days from the date of this Order. The Respondent shall handover the possession of the apartment, with Occupancy Certificate, to the Complainants before the period of March 31, 2022.
5. Consequently, the matters are hereby disposed of.

  
(Gautam Chatterjee)  
Chairperson, MahaRERA