

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

COMPLAINT NO: CC006000000023184

Rajesh J Bodke

....

Complainants

Versus

Micro Ankur Developers and Others ....

Respondent

MahaRERA Regn. No: P51900007933

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was represented by Mr. Santosh Arora, Adv. and Mr. Maneesh Tripathi, Adv  
No one represented for the Respondent.

**Order**

September 09, 2020

1. The Complainant has stated that he executed a Registered Agreement for Sale in respect of Pent House No. 1 in October 2013 with Respondent No 4 Jitendra Jain on behalf of Respondent No 1 developer, being a luxurious amalgamation of Flat No.2201 and 2202 on the 22nd level with all high- end amenities in the building Millennium Court situated at Village Oshiwara, Taluka Andheri, of the Respondent's above mentioned project. He has further stated that he has now come to know that his Pent House was subsequently re-sold by the Respondents to yet another buyer called "Venice Land Private Limited" and further re-sold by the Respondents to a company called "Divyagyan Trading Private Limited". He has prayed for investigation of the violations of the Respondent No.1 to 7, especially the violations under Section 11(3), 11(4), 12, 14, 15, 17 and 18 of RERA and to prosecute the Respondents No. 1 to 7 under Section 61 of RERA and to de-register the said Project under Section 7 of RERA and further to direct the Respondents 1 to 7 to forthwith grant such damages and fines as this Authority may deem appropriate under the facts and circumstances of the case.
2. During the hearings, the Complainant stated that, the name of the Respondent Micro Ankur Developer is not disclosed on the MahaRERA website, which was to be disclosed as per the Act/Rules.

3. During the hearings, it was observed that the Respondent No 1 and people associated with Micro Ankur Developers (Respondent No 1), mentioned as Respondents 2 to 5 in the complaint, are in no way associated with the registered project No P51900007933. Shri Samadhan B. Chandanshive, office bearer of Millennium Court Co-Operative Housing Society Ltd. has registered this Project, with the Cooperative Society as the promoter, under the registration No. P51900007933. In the said registration also, it is nowhere mentioned that M/s. Micro Ankur Developers is related to this registered project, as promotor or promotor (landowner/investor) or in any other capacity.
4. The Complainant has failed to prove the relation between Micro Ankur Developers and the registered project registered by the promoter, Millennium Court Co-Operative Housing Society. It is also observed from the information submitted on the MahaRERA website that the Promotor Millennium Court Co-Operative Housing Society have the NOC from MHADA for redevelopment of the plot of land under consideration and the approvals from the Planning Authority are also in the name of the Cooperative Society. Therefore, the Complainant cannot be treated as an allottee in this MahaRERA registered project.
5. In view of the above facts, we are of the opinion that the dispute between the Complainant and the Respondent is of a civil / criminal nature, and MahaRERA should not be the forum to resolve the same.
6. Consequently, the matter is hereby disposed of.

**Gautam  
Chatterjee**

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(Gautam Chatterjee)  
Chairperson, MahaRERA