

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000056733
CC006000000023809
CC006000000057018
CC006000000057225
CC006000000057252

1. Suraj Sharma
 2. Nilesh Parikh and Mrs. Nipa Nilesh Parikh
 3. Shamim Peerbhoy
 4. Amit Nandlal Wadhwani and Ketki A. Wadhwani
 5. Bipin Behari Saxena and Nalin Saxena
- ... Complainants

Versus

M/s. Bhoomi & Arkade Associates
MahaRERA Regn.No. P99000007415

... Respondent

Coram: Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainants No. 1,3, 4 and 5 were represented by Ms. Hiral Doshi a/w Laxmi Singh i/b Solicis Lex

Complainant No. 2 Mr. Nilesh Parikh was present.

Respondent was represented by authorized representative Mr. Ashish Dube.

ORDER
November 04, 2020

1. The Complainants are allottees in the project "Acropolis 1" of Respondent M/s Bhoomi & Arkade Associates via respective registered agreements, entered into in the year 2013. Due to delay in completion of the project, the Complainants had inter alia prayed for refund of the paid consideration amount along with interest and compensation as per the provisions of section 18 of the Maharashtra Real Estate (Regulation and Development) Act, 2016 (hereinafter "the said Act").
2. During the course of hearing, the parties mutually settled their dispute and on completion of the project, took possession of their respective apartments in and around May, 2019.

3. On the final date of hearing on November 03, 2020, hearing was held through video conference as per MahaRERA Circular no: 27/2020.
4. The Complainants submitted that though they have taken possession of their respective apartments, the Respondent has failed to provide certain amenities as agreed upon in the Agreement as well as promised in the mutual settlement, like regular electric supply, clean and regular water supply and installation of geysers.
5. The authorized representative of the Respondent submitted that in spite of their continuous follow up with the Competent Authorities, there has been a delay in providing regular electric supply and water supply. However, they are in process of providing the agreed amenities and the problem will be resolved in another 45 days.
6. The complaints were filed for exiting from the project with prayer of refund of the consideration amounts with interest. However, since the Complainants have taken possession of their respective apartments, nothing remains in the present complaints. However, there are post possession problems mentioned by the Complainants to which the Respondent has said that he will resolve them in 45 days. Thereafter, if some problems still remain unresolved, the Complainants may consider following the provisions of Section 14 (3) of the said Act.
7. Therefore, the above complaints are disposed of.

Gautam Chatterjee  Digitally signed by Gautam Chatterjee
Date: 2020.11.04 11:04:59 +05'30'

(Gautam Chatterjee)

Chairperson, MahaRERA