

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

1. COMPLAINT NO. CC005000000023341
Pritesh Gujarathi
2. COMPLAINT NO. CC005000000023347
Sagar Cheke
3. COMPLAINT NO. CC00500000000336
Vishal Parasmal Khinvasara
4. COMPLAINT NO. CC005000000011030
Shreyas Sangare
5. COMPLAINT NO. CC005000000011035
Chaitanya Suresh Pimpale
6. COMPLAINT NO. CC005000000022252
Vivek Kumar Agrawal
7. COMPLAINT NO. CC005000000022258
Mayur Balasaheb Deore
8. COMPLAINT NO. CC005000000022263
Gulshan Shahare
9. COMPLAINT NO. CC005000000022264
Pritesh Gujarathi
10. COMPLAINT NO. CC005000000022265
Bhushan Purushottam Wani
11. COMPLAINT NO. CC005000000022266
Sagar Cheke
12. COMPLAINT NO. CC005000000022276
Sujit Suresh Bajare
13. COMPLAINT NO. CC005000000022302
Samir Sachdeva

... Complainants

Versus



B. K. Developers
MahaRERA project Regn. No. P52100005681

... Respondent

Corum: Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complaint no. 3 was represented by Mr. Anand Mamidwar, Adv. a/w Mr. Yashwant Patil, Adv.

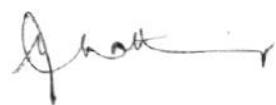
Complainant, in complaint no. 1 and 10 did not appear.
Rest of the Complainants were themselves present.

Respondent was represented by Mr. Kishor Bhosale, Adv.


Order

March 03, 2020

1. The Complainants have filed the present applications for non-compliance by the Respondent, in previous Orders passed by the Authority, against the same project. A few of the Complainants, in Complaints bearing nos. CC005000000023341 and CC005000000023347 have again filed fresh complaints, all pleading for similar prayers.
2. In previous Orders passed in Complaints bearing nos. CC005000000023341 and CC005000000023347 and others, filed by the allottees, against the same project, the Respondent was directed to handover the possession of the apartments to the Complainants before the period of August 31, 2019, and initiate the process of society formation.
3. During the course of the hearing, the Complainants submitted that the Respondent has failed to handover possession of the said apartments, till date.
Therefore, they *interalia*, prayed that the Respondent be directed to pay them interest for the delay in handing over possession and commit to a reasonable timeline for handing over possession.
4. The advocate for the Respondent submitted that due to mitigating circumstances, the project could not be completed in the stipulated time. Further, he was unable to say definitively, how he intends to complete the project.
5. On review of the project's registration webpage it is observed that the extended timeline for the project's registration also has expired on December 31, 2019, and the Respondent has failed to complete the project along with Occupation Certificate.



6. Moreover, the Respondent has failed to honour the assurances made to the allottees and also failed in the statutory compliances required under the Real Estate (Regulation and Development) Act, 2016. Therefore, the allottees should explore the possibility of invoking the provisions of section 7/8 of the said Act to complete the project through the association of allottees. At this stage, the possible way forward would be to enable the allottees to form an Association of allottees, to decide on the way ahead regarding completion of the stalled project.
7. In view of the above facts, the Respondent is hereby directed to handover the list of allottees of the said project, along with their contact details, to the Complainants and other allottees, within 30 days from the date of this Order, to enable the allottees to form association of allottees, take an informed decision pertaining to the way forward in the said project and also to decide if the association of allottees may like to proceed under Section 7/8 of the Act as per the MahaRERA Order no. 8/2019 dated March 29, 2019 on Revocation of Registration of Project.
8. Consequently, the abovementioned applications/matters are hereby disposed of.


(Gautam Chatterjee)

Chairperson, MahaRERA

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC005000000011030

Shreyas Sangare

...

Complainant

Versus

B. K. Developers

MahaRERA Reg. No: P52100005681

...

Respondent

Coram

Shri Gautam Chatterjee, Hon'ble Chairperson

Order

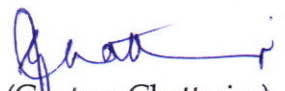
July 11, 2018

Complainant was himself present.

Respondent was represented by Mr. Kishor Bhosale, Adv. a/w Mr. Shivam Nagalia, Adv.

1. The Complainant has withdrawn his complaint vide an application dated 06th June, 2018, stating that both the parties have amicably resolved and settled the issue, with liberty to approach MahaRERA again, if any of the terms of the settlement terms are violated by the Respondent, in future.

2. In view of the above, the complaint is hereby disposed of, as withdrawn.


(Gautam Chatterjee)
Chairperson, MahaRERA