

**THE MAHARASHTRA REAL ESTATE REGULATORY  
AUTHORITY, MUMBAI.  
COMPLAINT NO: CC006000000057911**

Anirudhraje

... Complainant.

**Versus**

Matra Realty & Developers Ltd.  
(Jasoda CHSL-Aryaman Metropolis)

... Respondents.

MahaRERA Regn: P51800009523

**Coram:** B.D. Kapadnis,  
Member II.

**Appearance:**

Complainant: In person.

Respondents: Mr.Chandrashekhar Mule  
AR.

**FINAL ORDER  
6<sup>th</sup> March 2020.**

Initially the complainant has claimed refund of his amount paid in respect of purchase of flat no. 1503 of the registered project "Aryaman Metropolis" situated at Matunga (West), Mumbai. Pending the complaint many attempts for settlement of dispute have been made and they have succeeded partly because the parties have sorted out their dispute except the dispute regarding 1% stamp duty. The agreement for sale has also been executed. Therefore, only limited dispute is, whether the respondents are liable to refund /reimburse 1% of the stamp duty incurred by the complainant because of the respondents' failure to execute the



agreement for sale due to striking off, of their name by registrar of company as they being non-active.

2. The respondents contend that they never agreed to reimburse 1% of the stamp duty.

3. I have heard the parties. There is no dispute between them that the name of the respondents was struck off as non-performing/inactive company by the registrar of companies and therefore, they could not execute the agreement for sale in complainant's favour during that period. However, thereafter the name of respondents has been reinstated when they acquired the status "active company". During this period there was hike of 1% in stamp duty. The complainant therefore rightly submits that he was not responsible for delay in getting the agreement for sale executed but it got delayed because of the respondents themselves. In this circumstance, I find that the complainant had to bear 1% of stamp duty more than the duty he was required to pay. This amount comes to Rs. 1,76,000/-. Hence, the following order.

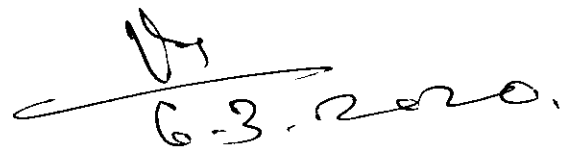
### ORDER

The respondents shall pay the complainant Rs. 1,76,000/- with prescribed interest at rate of 10.15% from the date of the payment of stamp duty till its reimbursement.

The respondents shall also pay the complainant Rs. 15,000/- towards the cost of the complaint.

Mumbai.

Date: 06.03.2020.



(B. D. Kapadnis)  
Member II, MahaRERA, Mumbai.