

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

1. COMPLAINT NO: CC006000000120989  
Puneet Dhanji Ahir

2. COMPLAINT NO: CC006000000120988  
Arvind Shamji Chamriya

...

Complainants

Versus

Siddhivinayak Developers  
MahaRERA Regn. No. P51800004097

...

Respondent

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

Complainants were represented by Adv. Jalindara Ranawat i/b. Janu Gulati.  
Respondent was represented by Mr. Pawan Sharma, Authorised representative.


**Order**

March 16, 2020

1. The Complainants have stated that they had booked apartments in the Respondent's project 'ROOPRAJAT ENCLAVE' situated at Borivali, Mumbai through Letters of Allotment dated November 17, 2015. The Complainants alleged that even after having paid substantial amount towards the consideration price, the Respondent has failed to execute and register the agreement for sale. Further, they alleged that the Respondent had already sold the apartments to third parties and had issued cheques to the Complainant in early 2017, which have been dishonoured. Therefore, they prayed that the Respondent be directed to refund the amounts paid by them along with interest.



2. The Complainants were explained that the cause of action has arisen prior to the coming into effect of the Real Estate (Regulation and Development) Act, 2016 and they have ceased to be allottees in the MahaRERA registered project. Therefore, no directions can be issued under the said Act.
3. The authorised representative for the Respondent, thereafter, submitted that due to financial problems, the cheques issued to the Complainants in 2017, in lieu of the cancellation of allotments, could not be honoured. However, the Respondent is willing to refund the amount paid in a reasonable time and settle the matter amicably.
4. In view of the above facts, no directions are warranted.
5. Consequently, the matters are hereby disposed of.

  
Gautam Chatterjee  
(Chairperson, MahaRERA)