

**BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI**

Complaint No. CC006000000078603

Mr. Shantilal Manjibhai Patel & 6 Ors.

.... Complainants

Versus

M/s. K. T. Group

Liberty Garden Co-Op Hsg. Soc. Ltd.

.... Respondents

Project Registration No. P51800004002

Coram: Dr. Vijay Satbir Singh, Hon'ble Member – 1/MahaRERA

Complainant appeared in person.

None appeared for the respondent.

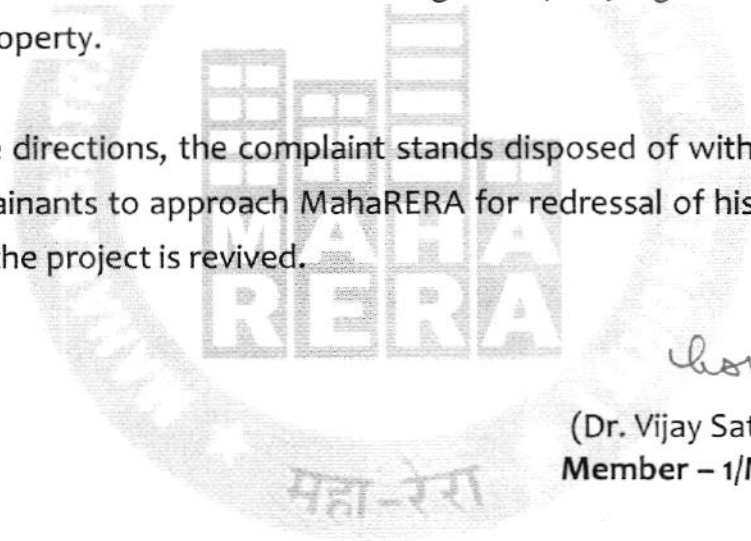
ORDER

(27th January, 2020)

1. The complainants have filed this complaint seeking direction from the MahaRERA to the respondents to hand over the possession along with compensation under Section-18 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as "RERA") in respect of booking of flats respondent's project known as "Liberty Garden CHS Ltd." bearing MahaRERA registration No. P51800004002 situated at Borivali, Mumbai.
2. This complaint is heard finally today, when the complainants appeared and made their submissions. The respondent failed to appear even though the notice of hearing was duly served upon him. During the hearing, it was noticed that according to the information available on MahaRERA website, the validity period of the said project has already lapsed on 31/05/2019. Further, the respondent promoter has not uploaded Form-4 along with the occupancy certificate on MahaRERA website. Therefore, prima facie, it appears that the project is still incomplete.

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3. In this regard, the MahaRERA is of the view that the promoter of such project should apply to MahaRERA for extension of the project. It should enable the formation of the association of allottees under section -11(4)(e) of the RERA, sharing the project related information with the allottees.
4. In view of the above facts, the respondent promoter is directed to approach MahaRERA for extension of the project period or take any other action to revive the project giving a definite timeline for its completion. The respondent is further directed to share the information of allottees with the complainants in a period of one month. The association of the allottees can also contemplate action under section 7 & 8 of the RERA. The respondent is further directed to refrain from creating third party rights with respect to the said property.
5. With these directions, the complaint stands disposed of with the liberty to the complainants to approach MahaRERA for redressal of his grievances, if any, after the project is revived.



(Signature)
(Dr. Vijay Satbir Singh)
Member – 1/MahaRERA