

BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY, MUMBAI

COMPLAINT NO: CC006000000000608

Mr. Sagar Gangaram Mhaprolkar

.. Complainant

Versus

M/s. Runwal Developer Or Horizon Projects Pvt Ltd

MahaRERA Registration No. P51700000528

..... Respondent

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

The complainant appeared in person.

Advocate Ms. Kerban Anklesaria for the respondent.

Date : 10th November, 2017

Order

1. The complainant has filed this complaint seeking directions to the respondent to refund the entire booking amount to the complainant in the MahaRERA registered project bearing No. P51700000528.
2. During the hearing, the complainant was present in person and the respondent was represented by Advocate Ms. Kerban Aklesaria. The complainant stated that initially, he had booked a 2BHK flat in the year 2014. Later on, due to financial problems, he had cancelled the same and booked one BHK in another tower being constructed by the respondent. However, again due to financial constraints, he could not make further payment and register an agreement for sale. Therefore, he wants to cancel the booking and get back his booking amount. The respondent pleaded that there is no cause of action against the respondent as the complainant himself wants to cancel the booking due to his financial difficulty.
3. Considering the submissions made by both the parties, it is clear that there is no agreement between the complainant and the respondent. Further, the complainant wants to withdraw from the project due to his own financial problems and not because of any default by the respondent. The complaint cannot be considered for any relief under the provisions of the Real Estate (Regulation and Development) Act, 2016 and is, therefore, dismissed.


(Dr. Vijay Satbir Singh)
Member-1