

BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY, MUMBAI

COMPLAINT No: CC006000000001091

Mr. Nandkumar Satardekar

.. Complainant

Versus

M/s. Sheth developers

MahaRERA Registration No. P51700007274

..... Respondent

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

The complainant appeared in person.
Advocate Ms. Pragati Malle for the respondent.

Date : 9th November, 2017

Order

1. The complainant has filed this complaint seeking directions to the respondent to refund full amount paid with interest and also compensation for the flat booked in the MahaRERA registered project bearing No. P5170000727.
2. This matter was heard today. The complainant appeared in person and the respondent was represented by Advocate Ms. Pragati Malle. The complainant stated that on 7th Oct 2016, he had booked a 2BHK flat in the respondent's project on the verbal assurance of possession date within 3 to 3 ½ years from date of booking. But, till date the respondent has not started the construction work at site even after taking 20% of the cost of flat. In spite of several requests, the respondent has not given anything in writing regarding the date of possession. Moreover, the date of possession in 2023, shown in the MAHARERA site, is not acceptable to the complainant. In view of this, the complainant wants to cancel the booking.

However, the respondent stated that there is no cause of action against the respondent as the complainant at his own wants to cancel the booking.

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 not because of the default or delay on the part of the respondent. The complaint, therefore, cannot be considered for any relief.
4. Hence, the complaint is dismissed.


(Dr. Vijay Satbir Singh)
Member-1