

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO. CC006000000100282

Mr. Sathyanarayan Puthanveetil
Mrs. Jayashree Sathyanarayan

... Complainants

Versus

Atmosphere Realty Pvt. Ltd.
MahaRERA Regn. No. P51800001243

... Respondent

Corum: Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was represented by S. Parthasarathy, Authorised representative a/w Ms. Poonam, Adv. (i/b R. S. Prabhu & Associates).

Respondent was represented by Mr. Prasad Mite, Adv.


Order

October 17, 2019

1. The Complainants have booked an apartment bearing no. 1001 in the Respondent's project 'Atmosphere Phase 1' situated at Kurla, Mumbai via allotment letter dated September 17, 2015. Thereafter, due to certain financial conditions they cancelled the said allotment and sought refund. Further, they stated that the Respondent had in 2016 sent an email to the Complainant wherein the Respondent had arrived at the amount to be refunded without giving any rationale behind the deduction. Therefore, the Complainants prayed that the Respondent be directed to refund the amounts payable to them without unjust deductions.
2. The learned Counsel for the Respondent submitted that the Respondent has already informed the Complainant about the refund permissible.



3. In view of the above facts, since the Complainants has already withdrawn from the said project, refund shall be guided by the terms and conditions of the allotment/booking letter.
4. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA