

BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

Complaint No: CC006000000171527

T S Natarjan	...	Complainant
Versus		

Oberoi Constructions Limited MahaRERA Regn. No. P51800017154	...	Respondent
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Complaint No: CC006000000171536

T S Natarjan	...	Complainant
Versus		

Oberoi Constructions Limited MahaRERA Regn. No. P51800004199	...	Respondent
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Coram: Shri Gautam Chatterjee, Chairperson, MahaRERA
Complainant was himself present.

Respondent represented by Mr. Abir Patel, Adv. i/b Wadia Ghandy & Co. along with Ms Richa Singh, Adv and Ms. Nidhima Sareen

Order

October 08, 2020


1. The Complainant has stated that he is a member of Oberoi Splendour situated on CTS 1A Majas Village, JVLR, Jogeshwari, Mumbai and the Respondent's MahaRERA registered projects "Maxima (P51800017154)" and "Prisma (P51800004199)" (the said projects) are also located in the same larger layout. The Complainant has alleged that the Respondent has obtained the MahaRERA registration for these two projects by

uploading incorrect information. Further, he has alleged that the said projects are located on a plot reserved for RG and therefore without any known source of FSI. Therefore, he has prayed inter alia that the Respondent's project registrations be revoked.

2. Final hearing was held through video conference as per MahaRERA Circular no: 27/2020 on October 06, 2020.
3. The Complainant alleged that the Respondent has obtained the approvals for the said project falsely. Further, he submitted that in the larger public interest, MahaRERA should take action against the Respondent.
4. The learned counsel for the Respondent has submitted that the Complainant is not an allottee in the projects against which the present Complaints have been filed and the project in which he resides was completed much before the Real Estate Development and Regulation Act, 2016 came into force and the conveyance for the property Oberoi Splendour has also been done in August 2019. He submitted that the Complainant has no *locus standi* in the said projects. Further, he submitted that the Complainant has also filed various litigations in other forums against the Respondent, agitating the same grievances as in these Complaints.
5. The Complainant has himself admitted that he is an allottee of a different project of the Respondent, already completed and conveyed and therefore cannot be treated as an aggrieved person, having interest in these projects Maxima and Prisma, in accordance with section 31 of the said Act read with Rule 6 of Maharashtra Real Estate (Regulation and Development) (Recovery of Interest, Penalty, Compensation, Fine payable, Forms of Complaints and Appeal, etc.) Rules, 2017 and MahaRERA Circular No 18/2018. Moreover, the said projects Maxima and Prisma are situated on a different CTS No 1B, duly approved by the Competent Planning Authority.
6. In view of the above, the Complaints stand dismissed.

Gautam
Chatterjee

Gautam Chatterjee
Chairperson, MahaRERA

 Digitally signed by Gautam
Chatterjee
Date: 2020.10.08 11:49:47 +05'30'