

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

Complaint No. CC006000000056363

Mr. Atish Mulay and Mrs. Vaishali Mulay and 13 others Complainant

Versus

1. M/s Modella Textile Industries Ltd.
2. M/s. Nirmal Lifestyle Ltd.
3. M/s. Videocon Industries Ltd.

.... Respondents

Project Registration No. P51700005281

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

Adv. Shirish Deshpande appeared for the complainant.

Adv. Tushar Kadam a/w Mrs. Vaishali Mohite appeared for the respondents.

ORDER

(14th January, 2020)

1. The complainants have filed this complaint seeking rectification of order dated 15/01/2018 in complaint No. CC00600000001204. The complainants are allottees in the projects registered with MahaRERA bearing MahaRERA registration Nos. P51700010303, P51700005281, P51700009993. In the said order, passed in the complaint No. CC00600000001204 by MahaRERA, directions were given to the parties to execute the agreements for sale, failing which, the respondents were liable to refund the booking amount with interest. Subsequently, an appeal was filed against this order before the Maharashtra Real Estate Appellate Tribunal (MahaREAT), wherein the MahaRERA was directed to hear and decide the matter as an application u/s 39 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as "RERA").
2. This complaint was heard before the Hon'ble Chairperson, MahaRERA and as per instructions, the matter was subsequently transferred to MahaRERA to decide the matter.

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3. The case was heard in the presence of concerned parties today. The Ld. Council for the complainant submitted that, the original order passed in the complaint No. CC006000000001204 required rectification. He stated that, the name of the original respondent was wrongly mentioned as of Videocon Industries Ltd instead of Modella Textiles Industries Ltd. He also pointed out that, the total number of allottees in the said complaint are 33, which has been mentioned as 32 in the said order. The complainant, therefore, prayed for rectification of the above order. The respondents have no objection to this rectification.
4. In view of the above discussion, the order dated 15/01/2018 is as rectified as follows :
 - i. The name of the respondent should be read as M/s. Modella Textiles Industries Ltd. instead of M/s. Videocon Industries Ltd.
 - ii. In para (1) of the said order, the No. of allottees should be read as 33 instead of 32.
5. In view of the above, the complaint stands disposed of.

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