

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000057032

Nitin Parab
Dipti Gadkar ... Complainants

Versus

Kapstone Constructions Private Limited
MahaRERA Regn. No. P51700001021 ... Respondent

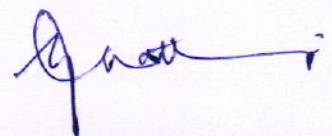
Corum: Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant, Mr. Nitin Parab was himself present.
Respondent was represented by Mr. Abir Patel, Adv. (i/b Wadia Ghandy & Co.).

Order


December 18, 2018

1. The Complainants have purchased an apartment bearing no: 1304-F in the Respondent's project 'Rustomjee Azziano Wing F' situated at Thane via a registered agreement for sale dated April 11, 2017. The Complainants have stated that they have taken possession of the said apartment in March, 2018; however, they alleged the Respondent has changed the layout of Wing K and extended additional 2 flats in this open space. Therefore, they prayed that since the Respondent has amended the plan of the layout without their consent, they be directed to pay them compensation.
2. The learned counsel for the Respondent explained that the Complainants have been handed possession of the apartment along with the common area in terms of the sanctioned plans as annexed to the said agreement. Further, he submitted that the Complainants have, at the time of taking possession, signed a consent letter dated March 23, 2018, stating that they have inspected the apartment and the amenities and are satisfied with the same. He also argued that the Complainants are alleging



violations by the Respondent in a project, i.e. Wing K, which is a different MahaRERA registered project and in which the Complainants are not allottees.

3. In view of the above facts, the Complainants have failed to point out any violations of the Real Estate (Regulation and Development) Act, 2016 by the Respondent in the said project and therefore the Complaint is dismissed.
4. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA