

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC00600000023387

Pradeep Kumar Prasad
Indra Devi K Prasad

... Complainants

Versus

Wheelabrator Alloy Castings Limited
MahaRERA Regn. No. P51800001838

... Respondent

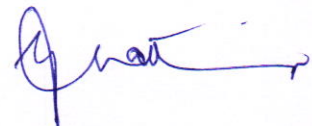
Corum: Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainants themselves present along with Mr. Amit Karle, Adv.
Respondent was represented by Mr. Sandesh Patil a/w Mr. Amrit Saroj; authorised representatives.

Order

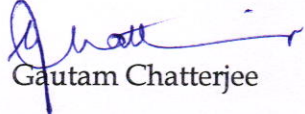
June 14, 2018

1. The Complainants have booked an apartment bearing No. 1601-T5, in the Respondent's project 'Runwal Forest Tower 5-8' situated at Bhandup, Mumbai through an allotment letter, under a subvention scheme, dated March 28, 2017. The Complainants alleged that under the said subvention scheme, it was committed by the Respondent that in the event of non-sanction of loan by his NBFC partner, the token amount will be refunded as specifically stipulated in the booking application. However, the Complainants faced rejection pertaining to loan sanction by the Respondent's NBFC partner, following which the Respondent has failed to refund the booking amount. Therefore, they prayed that the Respondent be directed to refund the entire amount paid by them along with interest.
2. During the course of the hearing held on May 02, 2018, the authorised representative for the Respondent stated that the loan sanction of Complainants was rejected due to



a misfit in the eligibility criteria, but however they were willing to explore the eligibility criteria with his NBFC partners.

3. On the second date of hearing held on June 11, 2018, the authorised representative of the Respondent upheld his stand pertaining to status of the Complainants for non - eligibility criteria and further alleged that forfeiture will be applicable.
4. In view of the specific condition in the booking application form that in the event of non-sanction of loan by the NBFC partner, the entire booking amount will be refunded, the Respondent is directed to refund the entire principal amount paid by the Complainants, without any deduction or forfeiture, within 30 days from the date of this order.
5. Consequently, the matter is hereby disposed of.


Gautam Chatterjee
(Chairperson, MahaRERA)