BEFORE THE

MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

MUMBAI

COMPLAINT NOS: CC006000000023742 and CC006000000023819

Akshaibar Nath Pal Vinay Kumar Pal

Complainants

Versus

D.G. Land Developers Private Limited MahaRERA Regn. No. P99000010407

Respondent

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainants were represented by Mr. R. K. Upadhyay, Adv. Respondent failed to appear.

Ex-parte Order

July 6, 2018

- 1. The Complainants have booked an apartment bearing no. 408 in the Respondent's project 'SHEETAL DEEP' situated at Vasai, Thane. The Complainants alleged that even after having paid substantial amount towards the consideration price, the Respondent has failed to execute and register the agreement for sale and handover possession till date. Therefore, the Complainant stated that they had approached the Respondent to cancel the said booking and refund the amount paid and the Respondent had promised to refund the same but has failed to do so. Therefore, the Complainants prayed that the Respondent be directed to refund the amount as agreed between the parties.
- 2. Respondent remained absent on both dates of hearing, despite service of notice.

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- The Learned Counsel for the Complainant submitted that the parties have already executed the cancellation of the said booking and that the Respondent had promised to refund the amount and produced documents to that effect.
- 4. In this case, the Respondent after having committed to refund money has reneged and thus is liable to be held responsible for indulging in an unfair practice. Therefore, we direct the Respondent to refund the money to the Complainants within 30 days from the date of this Order.

5. Consequently, the matters are hereby disposed of.

Gautam Chatterjee

(Chairperson, MahaRERA)