

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

COMPLAINT No. CC006000000055304

Mr. Thomas Varghese

.... Complainant

Versus

M/s Ravi Developments Pvt. Ltd.

.... Respondents

MahaRERA Registration No. P51700007276

Coram: Hon'ble Dr. Vijay Satbir Singh, Member-1

The complainant appeared in person.

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Adv. Mukesh Sharma appeared for complainant.

Adv. Patankar appeared for the respondent.

Order

(6th December, 2018)

1. The complainant has filed this aforesaid complaint seeking directions from this Authority to the respondent for possession in the project known as "Gaurav Enclave" bearing MahaRERA Regn. No. P51700007276 situated at Mira-Bhayandar, Thane.
2. The matter was heard in the presence of both the parties. The complainants are members of old society which is being redeveloped in the project. As the project got delayed the complainant has prayed for relief and early possession of the flat.
3. The respondent has pointed out that only the sale component of the project had been registered with MahaRERA. Since the complainant is member of the society who will get his flat in the rehabilitation component of the project, he is not entitled to any relief under provisions of RERA Act, 2016.



4. The matter was examined in the light of arguments of the parties and provisions of the Act. As the complainant is a member of the existing society and will be given flat in the rehab component of the project which is not registered under RERA Act, 2016, he is not entitled to relief under the provisions of the Act. According to Section 3 (2) (c) of RERA Act, 2016, the projects having renovation, major repairing or redevelopment are not required to be registered and hence not covered by the provisions of the Act. The complainant has also not invested money to buy additional area which could have entitled him to some relief for the delay. As such MahaRERA cannot consider his prayers favourably.

5. In view of these facts, the complaint stands dismissed



(Dr. Vijay Satbir Singh)
Member-I, MahaRERA