

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000012773

Vimladevi Maheshwari ... Complainant

Versus

Aditya Enterprises Project Vartak Nagar Bldg No. 50 ... Respondent
MahaRERA Regn.No. P51700002627

Corum:


Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was represented by Mr. Gordhan Das Maheshwari, Authorised representative.
Respondent was represented by Mr. Parthasarathy Sundararajan, Authorised representative.

Order

April 26, 2018

1. The Complainant has booked an apartment bearing No. A-2404 in the Respondent's project 'DEEPMALA CHS LTD' situated at Vartaknagar, Thane through an allotment letter dated November 9, 2015. The Complainant has alleged that even after repeated follow-ups, the Respondent has neither executed and registered the agreement for sale nor has he handed over possession of the said agreement. Therefore, she prayed that the Respondent be directed to execute the agreement for sale as per the provisions of section 13 of the Real Estate (Regulation and Development) Act, 2016 or refund the amount paid by him along with 18% interest.
2. The advocate for the Respondent stated that the Complainant had given the amount for the project as an investor and that the Respondent has already paid certain amounts as interest to the Complainant, last year. Further, he submitted that the Respondent is willing to execute the agreement for sale.



3. In view of the above facts, parties are directed to execute the agreement for sale as per the provisions of section 13 of the Real Estate (Regulation and Development) Act, 2016 and the rules and regulations made thereunder within 30 days from the date of this Order. While executing the agreement for sale, parties should adjust the amounts paid by them to each other to its net present value.
4. Consequently, the matter is hereby disposed of.



(Gautam Chatterjee)
Chairperson, MahaRERA

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Corum: Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was G.D. Maheshwari, Authorised representative.
Respondent did not appear.

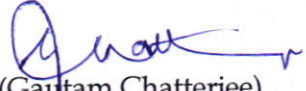
Order
October 24, 2018

1. The Complainant has filed the present application for noncompliance of the MahaRERA Order dated April 26, 2018 in Complaint no: CC006000000012773 (hereinafter referred to as *the said Complaint*) by the Respondent.
2. In the said Complaint, the parties were directed to execute and register the agreement for sale as per the provisions of section 13 of the Real Estate (Regulation and Development) Act 2016 and the rules and regulations made thereunder within 30 days from the date of the said Order. While executing the agreement for sale, parties were directed to adjust the amounts paid by them to each other to its net present value.
3. The Respondent was not present for the hearing of the present application, despite service of notice.
4. The Complainant submitted the Respondent has failed to execute and register the agreement for sale and therefore the Complainant prayed that the Respondent be directed to refund the amount paid by him.



5. In view of the above, since the Respondent has failed to execute and register the agreement for sale, the Respondent shall refund the amount paid by the Complainant within 30 days from the date of this Order.

6. Consequently, the present application is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA