

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000023427

M/s. Fact Personnel Pvt Ltd
through its Director Mr. Nainesh Sanghavi

... Complainant

Versus

The Bombay Dyeing and Manufacturing Company Ltd
MahaRERA Regn. No. P51900008726

... Respondent

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

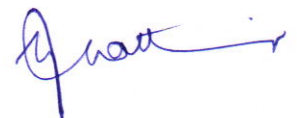
Complainant was himself present a/w Mr. Ramesh Prabhu, CA.

Respondent was represented by Mr. Karan Bhosale, Adv. and others (i/b M/s. Crawford Bayley & Co.).

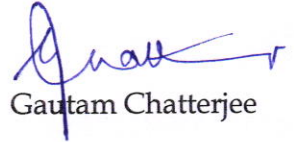
Order

June 26, 2018

1. The Complainant has booked an apartment bearing no. 2304 in the Respondent's project 'ICC' situated at Wadala, Mumbai through an allotment letter dated May 20, 2013. The Complainant alleged that the draft copy of the agreement for sale was not in compliance with the provisions of the Real Estate (Regulation and Development) Act, 2016 and the rules and regulations made thereunder. Therefore, the Complainant prayed that the Respondent be directed to refund the amount paid by him.
2. The Learned Counsel for the Respondent submitted that the Respondent has on various occasions communicated with the Complainant for executing and registering the agreement for sale for the said apartment but the Complainant has failed to do so. Parties sought time to amicably settle the matter.



3. On the next date of hearing, the Complainant submitted that the draft copy of agreement for sale was exchanged and that the Complainant has certain reservations regarding the same and therefore does not want to continue in the said project.
4. In view of the above facts and in keeping with the provisions of Clause 18 of the Model Form of Agreement contained in Annexure A of the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, rates of interest and disclosures on website) Rules, 2017, since the parties have failed to go ahead with the registration of the agreement for sale, the Respondent is directed to return the principal amount paid by the Complainant within 30 days from the date of this Order.
5. Consequently, the matter is hereby disposed of.



Gautam Chatterjee

(Chairperson, MahaRERA)