

BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY,  
MUMBAI

Complaint No. CC006000000192477

1. Mr. Keith Borthwick
  2. Mrs. Priya Borthwick (since deceased)
  - 2(a) Mr. Brandon Borthwick
  - 2(b) Mr. Brent Borthwick.
  - 2(c) Ms. Britney Borthwick
- ..Complainants

**Vs**

M/s. Transcon Sheth Creators Private Limited

..Respondent

MahaRERA Project Registration No. P51800001080

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

Adv. Rebecca Condillac appeared for the complainants.

Adv. Tanvi Deosthale appeared for the respondent.

**ORDER**

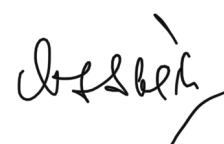
(31<sup>st</sup> December, 2020)  
(Through Video Conferencing)

1. The complainants have filed this complaint seeking directions from MahaRERA to the respondent to handover possession of their flat along with interest for the delayed possession under section 18 of the Real Estate (Regulation & Development) Act, 2016 (hereinafter referred to as 'RERA') with respect of booking of a flat no.2501 on the 25<sup>th</sup> floor, in the respondent's registered project known as "Auris Serenity Tower-1" bearing MahaRERA registration No. P51800001080 at Malad (East) Mumbai.
2. This complaint was heard finally on 02-12-2020 as per the Standard Operating Procedure dated 12-06-2020 issued by MahaRERA for hearing of complaints through Video Conferencing. Both the parties have been issued prior intimation of this hearing and they were also informed to submit their written submissions, if any. Accordingly, both the appeared for the hearing and made their submissions. During the course of hearing the complainants are allowed to amend the complainant and join the

*Rebecca*

legal heirs of the deceased complainant on record of MahaRERA since she expired during pendency of this complaint. However, the respondent sought amicable settlement in this case. Hence on request of the respondent, one week time is granted to settle the matter amicably, failing which it was directed that the final order would be passed thereafter based on the submissions by the parties.

3. Pursuant to the said directions, the complainant No. 1 filed amendment application dated 6-12-2020 on record of MahaRERA to bring his three children on record of MahaRERA in this complaint.
4. Now it has been brought to the notice of MahaRERA by the complainants through email dated 30-12-2020 that they have settled the matter amicably with the respondent and they have made payment of the balance consideration after adjustment of the interest amount payable by the respondent. Accordingly, the respondent has issued them no dues outstanding against their flat. The complainants therefore sought withdrawal of this complaint in view of the settlement arrived at between the parties. The copies of settlement correspondence exchanged between the parties are also attached with this withdrawal application received through email. The same is taken on record and accepted.
5. In view of the aforesaid facts brought to the notice of MahaRERA by the complainants, the MahaRERA feels that nothing survives in this complaint and therefore the complainants are allowed to withdraw this complaint.
6. Consequently, the complaint stands dismissed as withdrawn.



(Dr. Vijay Satbir Singh)  
Member - 1/MahaRERA

