

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

COMPLAINT NO: CC0060000000001675

Chetan Muljibhai Patel ... Complainant

Versus

Dev Land & Housing Pvt. Ltd. ... Respondent  
MahaRERA Regn: No. P51800003604

**Coram**

Shri Gautam Chatterjee, Hon'ble Chairperson

**ORDER**


18<sup>th</sup> December, 2017

Complainant represented by Mr. Makarand V. Raut, Adv.  
Respondents represented by Mr. M/s. Maniar Srivastava Associates

1. The complainant has purchased an apartment in the Respondent's above mentioned project on 30<sup>th</sup> June 2012. As per the agreement, the date of possession was 31<sup>st</sup> December 2012. The Promoter failed to handover the possession of the said apartment in the grace period of six months. The Complainant has approached this Authority to direct the respondents to hand over the possession of the said apartment with Occupancy Certificate, earmark two sealable parking spaces and execute and register the Agreement for sale for the same and the respondents be restrained from selling any further apartments.
2. During the hearing, the Respondent pointed out that the complainant has already occupied the said apartment from December 2013. He further stated that the Complainant has already filed a complaint on the same matter in the Consumer Forum and the said matter is still pending. These facts were accepted by the complainant.



3. From the documents of online complaint submitted, it is observed that though the complainant has given a declaration that the matter regarding which this complaint has been made is not pending before any court of law or any other Authority or any other Tribunal (s), the same matter is pending in the Consumer Forum.
4. The complaint filed with MahaRERA is not maintainable and is, therefore, dismissed.

  
(Gautam Chatterjee)  
Chairperson, MahaRERA