

BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY,  
BANDRA, MUMBAI

COMPLAINT NO: CC006000000000103

Mr.Swatantra Anand

.. Complainant

Versus

Paradigm Ambit Buildcon

..... Respondent

**MahaRERA Registration No - P51800000204**

Coram:

- 1) Hon'ble Shri Gautam Chatterjee, Chairperson
- 2) Hon'ble Dr. Vijay Satbir Singh, Member 1

Date- 18<sup>th</sup> September 2017

**Order**

- 1) The complainant has made grievances before this Authority for non-payment of bill raised by him as contractor of the registered project bearing No. P51800000204 and appointment of sub -contractor by the respondent without notice to the complainant. According to the complainant, he was appointed as contractor to complete the construction work in the project and he has completed 95% work of rehab building and 45% work of sale component as on today. Further, though he is a contractor of the project, the respondent, with malafide intention, has not disclosed his name as

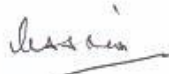
contractor while registering the Project, known as "Anand Residency" at Borivali, with MahaRERA. Hence, <sup>he</sup> respondent has violated the provision of section 4 of RERA Act, 2016. The respondent has also replaced the contractor without any notice to him and has failed to pay the outstanding dues of Rs 13 Cr to the complainant..

- 2) This matter was heard on 7<sup>th</sup> September, 2017, when the complainant and the representatives of the respondent appeared before the Authority. During the hearing, the respondent stated that the complainant is no longer a contractor in the project and sought an adjournment to clarify this issue. The case was adjourned.
- 3) This matter was heard again on 18<sup>th</sup> September, 2017. Advocate Mr. Chitranjan Kumar appeared for the complainant and Mr. Ketan Musale and Mr. Manoj Vishwakarma appeared for the respondent. During the hearing the respondent stated that the complainant is no longer a contractor as his work contract had been terminated and the same was communicated to him through a "Whats App" message. They further added that as on date there is no contractor on the project and therefore, no name of contractor had been disclosed during registration. The complainant, however, insisted that they are still contractors in the project.
- 4) The present matter before MahaRERA is about non-disclosure of information regarding name of existing contractor, by the respondent while registering the project. Since the respondent does not admit that the complainant is their contractor, we feel that the complainant is not an interested party in the project and therefore has no locus standi to file the present complaint. The issue of non- payment of bills to the complainant is a civil dispute matter and MahaRERA would not like to entertain the same. Moreover, the complainant has not produced on record any order of a competent court of law to show that his work contract is still valid. Hence, the information uploaded by the respondent cannot be said to be



a violation of Section 4 of the RERA Act, 2016 as alleged by the complainant. The respondent is directed to put his submissions on record of this Authority by way of an affidavit by 20-09-2017 evening 5.00 P.M, clearly stating that the complainant is not a contractor in the said registered project.

5) In view of the aforesaid facts, the complaint stands dismissed.



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



(Gautam Chatterjee )  
Chairperson, MahaRERA