

**BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY,  
MUMBAI**

COMPLAINT No: CC006000000012448

Mr. Nakul Ashok Gupta

..... Complainant

Versus

M/s. Accord Builders and Anr

MahaRERA Registration No. P51800005985

..... Respondents

Coram: Hon'ble Dr. Vijay Satbir Singh, Member 1

None appeared for the complainant.

Adv. Devendra Patankar appeared for the respondent.

**Order**

(9<sup>th</sup> February, 2018)

1. The complainant is an allottee in the MahaRERA registered project bearing No. P51800005985 known as "Vive" at Kurla, , Mumbai
2. The complainant along with his mother Mrs. Joohi had booked a flat No. 503, in Wing A in Building known as Vive in the respondent's project on 9-3-2017, after reading an advertisement. As per the brochure the price was Rs. 1,07,00,000/- . Accordingly, he filled the application form and paid an amount of Rs. 1,00,000/- as advance money. At the time of filling of the application, the price of the flat was not mentioned, however, after 2 days, the respondents arbitrarily escalated the price of flat to Rs. 1,21,36,000 without giving any valid reason. The complainant lost the faith or trust in the respondent and therefore he requested them for cancellation of the said booking. But, the respondents refused to respond the same and sent email to the complainant in April, 2016 stating that his booking amount stands forfeited. The complainant, therefore, alleged that the respondents misrepresented price in the brochure and then arbitrarily escalated the price and also forfeited his application money for their wrongful actions. The complainant, therefore, prayed for a refund of his application

money as well as compensation for the mental agony and losses suffered by him.

3. This matter was heard on 19-1-2018 and 29-1-2018. On both the occasions the mother of the complainant appeared before this Authority in person and argued the matter at length. However, during today's hearing she remained absent. the advocate for the respondents only appeared before this Authority and filed an undertaking on record stating that the respondents are ready to refund the booking amount of Rs 1,00,000/- to the complainant.
4. However, considering the actual written undertaking submitted by the respondent, nothing survive in the complaint. Hence, the complaint stands disposed of.



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