BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY, MUMBAI

COMPLAINT NO: CC006000000001186

Mr. Ashok Suresh Rach

..... Complainant

Versus

M/s. Matushree Real Estate Developers Pvt Ltd

MahaRERA Registration No. P51800004536

..... Respondent

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

None appeared for the complainant.

Adv Satish Sharma appeared for the respondent.

Order

(22nd January, 2018)

1. The complainant has filed this complaint seeking directions to the planning authority to withhold the occupation certificate till an investigation regarding fraudulent sale of FSI in the market is completed. He prays for directions to be issued to MHADA to check the grant of FSI and add the same in the MHADA stock in the respondent's project, known as "Shri Ganesh Apartments" at Goregaon West bearing MahaRERA registration No. P51800004536,
2. This matter was heard on the given dates and finally on 22nd Jan.2018. During the hearings held on 12-12-2017 and 20-12-2017 the complainant's representative sought adjournments on both the occasions. He remained absent on 12-1-2018 & today (i.e. 22nd Jan. 2018).
3. At the time of hearing today, Advocate Satish Sharma appeared for the respondent. He stated that the project under reference was a re-development project of Shri Ganesh Society situated at Goregaon (West). In the said project the complainant is neither a member of the society nor an allottee of the project. Therefore, he has no locus standi to file this complainant and just to harass the respondent the present complaint has been filed. The respondent, therefore, requested to dismiss the present complaint.

4. On examination of the nature of the complaint shows very clearly that it does not attract any provision of Real Estate (Regulations and Development) Act, 2016 and Rules and Regulations made thereunder. Any complaint of fraud or misappropriation etc. has to be investigated by the appropriate authority only. Moreover, since the complainant remained absent twice, he does not seems to be interested in pleading his case further. Besides, his locus standi in this matter is also unclear.
5. In view of the facts, as stated above, the complaint stands dismissed for want of prosecution.

(Dr. Vijay Sarbir Singh)
Member-1