

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

COMPLAINT NO: CC006000000022998

Ratish Nair

...

Complainant

Versus

Man Realty Limited

...

Respondent

MahaRERA Regn.No. P51700013100

Corum: Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was himself present

Respondent was represented by Mr. Abir Patel, Adv (i/b Wadia Ghandy & Co.)

**Order**


April 17, 2018

1. The Complainant has booked an apartment bearing No. 1605 in the Respondent's project 'ONE PARK AVENUE - AVENUE 6' situated at Thane on February 27, 2017 on the basis of a prospectus, floor plan and cost sheet. He has stated that he was promised possession of the said apartment in December 2021. However, he alleged, the Respondent has now put the timeline for project completion as December 2022 in their registration webpage on MahaRERA website. Further, he alleged that the Respondent has also revised the carpet area and the consideration amount for the said apartment.
2. The Complainant, therefore, prayed that the Respondent be directed to refund the amount paid by the Complainant along with interest and compensation.
3. During the hearing, the advocate for the Respondent argued that the change in the total price to be paid for the said apartment was due to the implementation of GST and that the said increase is well stipulated for in the cost sheet referred to by the Complainant. Further, he submitted that though the carpet area for the said



apartment is slightly more than what was promised at the time of booking, as per the provisions of the Real Estate (Regulation and Development) Act, 2016 and the rules and regulations made thereunder, the consideration price has not been raised. He also submitted that the input tax credit if and when applicable will be passed on to the Complainant.

4. The Complainant, thereafter, showed his willingness to consider continuing in the said project.
5. In view of the above facts, the parties, if the Complainant intends to continue in the project, are directed to execute the agreement for sale as per the provisions of section 13 of the Real Estate (Regulation and Development) Act 2016 and the rules and regulations made thereunder within 30 days from the date of this Order. Further, the Respondent shall provide a revised cost sheet to the Complainant incorporating the above clarifications made by them in order that the Complainant can make an informed decision.
6. Consequently, the matter is hereby disposed of.

  
(Gautam Chatterjee)  
Chairperson, MahaRERA