

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NOS: CC005000000010784

Kamlesh Kishanlal Shahani ... Complainant

Versus

Pethkar Projects
MahaRERA Regn. No: P52100000155 ... Respondent

Coram
Hon'ble Shri Gautam Chatterjee, Chairperson

Order

February 6, 2018

Complainant was himself present

Respondent was himself present with Adv. Sushil D. Kane

1. The Complainant stated that he is interested in buying an apartment in Punavale, Pune, and so has selected the Respondent's project 'Siyona'. He alleged that while verifying the said project on the MahaRERA website, he observed some lacunas which need to be redressed.

2. Section 31 (1) of the Real Estate (Regulation and Development) Act 2016 reads as thus:

Any aggrieved person may file a complaint with the Authority or the adjudicating officer, as the case may be, for any violation or contravention of the provisions of this Act or the rules and regulations made thereunder against any promoter allottee or real estate agent, as the case may be.

...

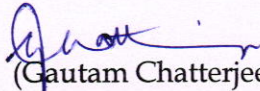
Further, Rule 6 (1) of the Maharashtra Real Estate (Regulation and Development) (Recovery of Interest, Penalty, Compensation, Fine Payable, Forms of Complaints and Appeal etc.) Rules, 2017 reads as thus:

...

Any aggrieved person, having any interest in the project, may file a complaint with the Authority for any violation under the Act or the rules and regulations made thereunder...

...

3. The Complainant is not an allottee in the registered project mentioned in the complaint and has no *locus standi* in the said project interest, as on date.
4. In view of the above facts, the complaint is dismissed.


(Gautam Chatterjee)
Chairperson, MahaRERA