

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

COMPLAINT No: CC006000000012482

Mr. Pravin Vitthal Mote

..... Complainant

Versus

M/s. Nirmal Lifestyle (Kalyan) Private Limited

MahaRERA Registration No. P51700003616

..... Respondent

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

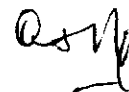
Advocate Malhotra appeared for the complainant.

Mr. Rahul Ektare appeared for the respondent

**Order**

(15<sup>th</sup> January 2018)

1. The complainant has filed this complaint seeking directions from this Authority to the respondent to refund the booking amount paid by him to the respondent with interest in MahaRERA registered project bearing No. P51700003616.
2. This matter was heard today. The complainant has stated that he booked a flat bearing No. C/407 in the aforesaid project for a total consideration of Rs. 28,20,000/- and paid an amount of Rs. 6,63,932/-. Thereafter. He requested the respondent to execute registered agreement for sale. However, the respondent did not execute the agreement so far and delayed the possession for a long time and finally assured to give by May 2017. Therefore, the complainant requested for refund of the booking amount.



3. The respondent disputed the claim of the complainant and stated that there is no agreement between the complainant and the respondent and there is no agreed date of possession. Hence, the present complaint is not maintainable. However, without prejudice to their rights and contentions, the respondent has submitted a written undertaking on record of this Authority stating that he will refund all the amount to the complainant within a period of six months from the date from which the cancellation procedure is taken place.
4. Considering the above facts, this Authority is of the view that there is no violation/contravention of any provision of RERA Act, Rules and Regulation framed thereunder as no agreement was executed between the complainant and the respondent. Therefore, the complainant is not entitled for any interest as prayed by him. However, the respondent has given written undertaking on record of this Authority stating that he shall refund the booking amount to the complainant. The said undertaking is taken on record.
5. In view of above, the complaint stands disposed of.



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