

**MAHARASHTRA REAL ESTATE APPELLATE  
TRIBUNAL UNDER RERA Act**

**No. AT005000000000361**

1. Mohini Parag Pandharipande
2. Mohit Parag Pandharipande  
Both residing at A-503,  
24 K Glitterati, Vishal Nagar,  
Pimple Nilakh, Pune 411027

.. Appellant/s

V/s.

1. Marvel Sigma Homes Pvt. Ltd.  
301-303, Jewel Tower,  
Above IDBI Bank, Lane No.5,  
Koregaon Park, Pune 411001.
2. Runal Developers  
Indraprastha Apartment,  
Pimpri Chinchwad Link road,  
Chinchwad, Pune 411 033.

..Respondent/s

Adv. Karan Parmar for the Appellants.

Shri Dhananjay, Srinivas & Co. for Respondent no.2.

Adv. Amit Patil for the Promoter, Marvel Sigma Respondent no.1.

CORAM :Hon'ble Shri K. U. CHANDIWAL, J.

Heard on : 16th October, 2018

Dictated/Pronounced on : 16th October, 2018

Transcribed on : 17th October, 2018

**:-ORAL JUDGMENT:-**

Heard finally.

1. This appeal by allottee raises a question to decline by Ld. Adjudicating Officer, MahaRERA, Mumbai to rectify name of the appellant. By a communication dated 7th April, 2018 the allottee has apprised the Ld. Member and Adjudicating Officer, MahaRERA to correct their names and also to correct date of possession. The Ld. Authority on verification of record found it just to correct the date of possession. However refused to correct the name of the complainant on the ground that it is rightly mentioned in the order as mentioned in complaint. Such order dt. 26th February, 2018 of the Ld. Adjudicating Officer is the grievance.
2. With the assistance of Ld. Counsel for the allottee, I have gone through the complaint and in particular para 1 dealing with particulars of complainant. The names of the complainants referred therein is Mrs. Mohini Parag Pandharipande and Mr. Mohit Parag Pandharipande. I have also gone through the Agreement dat. 30th October, 2014 (Pg.No. 28) between the parties. There is no contest on the Articles of Agreement which illustrates name of the allottee to be the same as indicated in the complaint. The Shri Patil for the Promoter though says when the complaint was filed online, the Promoter was unaware as to what was the name recorded. There was no other squabble nor it was so seriously challenged by the Promoter. Consequently, a innocuous correction in the name could have been carried at the level of the concerned Authorities without forcing the aggrieved allottee to knock remedies by appeal before this Tribunal.
3. The submission of Mr. Patil is incorrect even from record apart from the Agreement dt. 30th October, 2014. The promoter should have agreed for correction of name without raising technical objection.
4. Mr. Parmar probably rightly feels that this could be one of the ways to protract the directions of compliance in the order dated 26th Feb. 2018.

**:- ORDER :-**

1. The order of Ld. Adjudicating Officer and Member, Mumbai dt. 7th April 2018 declining to rectify name of the complainant is set aside.



2. In the order of said Authority correct name of the complainant as appearing in the Agreement dated 30th October, 2014 and in the body of complaint be corrected / rectified.

3. Order accordingly.

4. No cost.

Dictated and pronounced in open Court today.



Place: Mumbai  
Dated: 16th October, 2018

(K. U. CHANDIWAL, J.)  
President,  
Maharashtra Revenue Tribunal,  
Mumbai  
& I/c. Maharashtra Real Estate  
Appellate Tribunal, (MahaRERA),  
Mumbai