

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

COMPLAINT No: CC006000000054847

Mr. Abdul Rashid Bhusari

..... Complainant

Versus

M/s. Pravin Premkumar Nair
M/s. Deccan Residency

MahaRERA Registration No. P52000006375

..... Respondent

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

The complainant appeared in person.

Adv. Sachin Bhosale appeared for the respondent.

Order

(7th September, 2018)

1. The complainant has filed this complaint seeking relief under section 7 of the RERA Act, 2016 to cancel the MahaRERA registration No. P52000006375 known as "Deccan Residency" at Khalapur, Dist Raigad on the ground that the respondent has violated the provisions of section 4 of the RERA Act, 2016.
2. The matter was heard finally. During the hearing, the complainant has argued that he claims to be the owner of the plot of land under the project known as "Deccan Residency" undertaken by the respondent. He had filed the R.C. Suit No. 2 of 1995 before the Civil Court at Khalapur, wherein the decree has been passed by the Hon'ble Civil Court and the said litigation has not been disclosed by the respondent while registering the said project with MahaRERA. Hence the complainant requested for cancellation of the MahaRERA registration issued in favour of the respondent.



3. The respondent has disputed the claim of the complainant and argued that all litigation pertaining to the land under the said project have been disclosed by him on website of MahaRERA at the time of registration. Therefore there is no violation of the section 4 as alleged by the complainant. However, he has shown his willingness in writing to update the information pertaining to the decree passed in R.C. Suit No. 2 of 1995 on MahaRERA website within a period of 5 days.
4. The MahaRERA has examined the submissions made by both the parties as well as the record pertaining to the said project. From the record it appears that, though the respondent has disclosed the details of pending suit pertaining to the land under the said project on MahaRERA website, the orders passed therein are not uploaded on the website. Since there is no willful default on the part of the respondent for disclosure of litigation on website of MahaRERA, the MahaRERA directs the respondent to update the litigation within a stipulated period mentioned in the written undertaking.
5. In the light of above facts, nothing survives in this complaint. Hence the complaint stands disposed of.



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