

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

COMPLAINT NO: CC006000000023069

Ghanshyamdas Mangaram Shahani	...	Complainant (1)
Dr. Jayshri Laxmanrao Patil	...	Complainant (2)

Versus

Mohini Sheltors Private Limited		
MahaRERA Regn. No: P51800006731	...	Respondent

Coram  
Hon'ble Shri Gautam Chatterjee, Chairperson

Complainant no. (2) was herself present, along with Mr. Gunratan Sadavarte, Adv.  
Respondents were represented by Mr. Uday Wavikar, Adv. along with Mr. Sajira Jondhale, Adv.

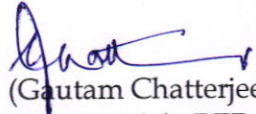
**Order**

May 30, 2018

1. The Complainants in their complaint have stated that they are members of a Co Operative Housing Society which is taken up for redevelopment by the Respondent. The Complainants have alleged that the Respondent is not handing over possession of their redeveloped apartment. Therefore, they prayed the Respondent be directed to pay them rent and handover possession at the earliest.
2. The advocate for the Respondent argued that the Complainant no.1 is not a member of the said society and that in the records of the said society the apartment is presently in the name of one Late. Ms. Kamala Shahani. Further he argued that Complainant no.1 has sold the apartment, belonging to Ms Kamala Shahani, to Complainant no.2 and therefore, the Respondent has no privity of contract towards the Complainants.



3. On perusal of the records annexed by the Complainants, specifically, the share certificate of the said apartment, it is clear that the apartment still lies in the name of Late. Ms. Kamala Shahani.
4. In, view of the above, it is clear that the present dispute between the parties does not involve violations of any of the provisions of the Real Estate (Regulation and Development) Act, 2016 and therefore MahaRERA is not the correct forum for resolution of such disputes.
5. The complaint is, therefore, dismissed.

  
(Gautam Chatterjee)  
Chairperson, MahaRERA