

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000000858

Manoj Kumar Sipani ... Complainants

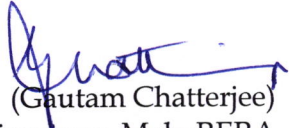
Versus

Sylvanus Properties Ltd. ... Respondent
MahaRERA Regn: P52000001481

Order

16th November 2017

1. The Complainant has approached this Authority to seek directions to the respondents to refund the booking amount which he has paid to the Respondent at the time booking of an apartment No. F2-303, in India Bulls Savroli 1 project, in 2012 which is now registered with MahaRERA.
2. Hearings were held first on 17th October 2017 and thereafter on 6th November, 2017. The Complainant pleaded himself, the Respondent was represented by Shri Yogesh Bafna, Advocate. During this hearing the Respondent pointed out that the Complainant has already approached the City Civil and Sessions Court, Mumbai for the same matter, vide Suit bearing No. 885 of 2016 and this suit is still pending before the City Civil and Sessions Court, Mumbai. The Complainant submitted that before the next hearing at MahaRERA, he will withdraw the matter pending before the City Civil and Sessions Court, Mumbai and requested again for a short adjournment.
3. For the 3rd hearing on 15th November 2017, the Complainant was absent. Ms. Shweta Merchant, Adv., representing the respondent mentioned that the suit before the City Civil and Sessions Court, Mumbai has still not been withdrawn.
4. From the papers submitted by the Respondent it is observed that though the complainant has given a declaration that the matter regarding which this complaint has been made is not pending before any court of law or any other Authority or any other Tribunal (s), the same matter is pending in the City Civil and Sessions Court.
5. The complaint filed with MahaRERA is not maintainable and is, therefore, dismissed.


(Gautam Chatterjee)
Chairperson, MahaRERA