

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

COMPLAINT No. CC005000000000146

Mr. Amit Ramanbhai Patel and 6 Ors

....Complainants

Versus

M/s. Twin Star Infrastructure & 12 Ors

....Respondents

MahaRERA Registration No. P52100009509

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

Adv. Amijith M.A appeared for the complainant.

Mr. Nicky Milani CA appeared for the respondents.

Order

(27th August, 2018)

1. The complainants have filed this complaint seeking directions of MahaRERA to strike off the registration of the real estate project known as "Vaastu Imperial" bearing registration No. P52100009509 at Pune from the website of MahaRERA until true and full disclosure is made available by the respondents and to impose fine on the respondents for contravention of the provisions of RERA Act, 2016 and also to direct the respondents to execute agreements for sale with the allottees and to adhere the time schedule for completion of this project.
2. During the hearings, the complainants have stated that the present complaint has been filed against the respondents for violation of section-4 of the RERA Act, 2016. The complainants further stated that the respondents have not disclosed all pending litigation at Civil Court at Shivaji Nagar, Pune wherein the application for the

execution of consent decree is pending and also other criminal proceedings pending for cheque bouncing.

3. However, the respondents have disputed the claim of the complainants and argued that the complainants are the retired partners of the respondent's partnership firm and present complaint is not maintainable before MahaRERA since MahaRERA is not a forum to settle the disputes between the partners. The respondents further argued that after their retirement the complainants have frozen the Bank account of the respondent's firm and therefore, the respondents have filed civil suit before the Shivaji Nagar Civil Court seeking directions for opening the Bank account. In the said suit consent terms were filed between the parties, and accordingly the consent decree was passed. However, for non-execution of the said consent terms, the complainants have filed execution application before Shivaji Nagar Civil Court and the same is pending as on today. Since the said litigation is pertaining to the Firm, the respondents did not disclose the same on MahaRERA website. However, all litigations pertaining to the land under the project have been disclosed by them on MahaRERA website.

4. After considering the arguments advanced by both the parties, and after perusing the record of MahaRERA, it appears that there is a dispute between the partners. However, during pendency of this complaint, the respondents have uploaded all litigations pending with respect to the said project, including the execution application filed by the complainants on MahaRERA website. Therefore, this Authority feels that now nothing survives in this complaint with regard to violation of section -4 of the RERA Act, 2016 by the respondents.

5. With regard to other reliefs sought by the complainants, the MahaRERA feels that the complainants have not made out their case as to seek any reliefs from MahaRERA. Hence there is no substance in the complaint.
6. Hence, the complaint stands dismissed for want of merits.



(Dr. Vijay Satbir Singh)
Member-I, MahaRERA