

**THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI.**

COMPLAINT NO: CC0060000000054806

Shraddha Agarwal & Vipin Chaudhary
Ashverya Dikshit and Saumitra Bajpai
Ashu Kumar
Saurabh Katiyar and Supriya Singh
Sushant Kumar and Ruchika Goyal
Jaiprakash N. Agrawal and Anita J. Agrawal ... Complainants.

Versus

JVPD Properties Pvt Ltd
Laxman Bhagtani
Diipesh Laxman Bhagtani
Mukesh Bhagtani
Jaycee Homes Pvt Ltd
Xander Finance Pvt Ltd
Reserve Bank of India
Institute of Chartered Accountants
Jt Police Commissioner EOW ... Respondents.
(Serenity Bldg. - 1)

MahaRERA Regn: P51800011181.

Coram: Shri B.D. Kapadnis,
Hon'ble Member & Adjudicating Officer.

Appearance:
Complainant: Adv. Satish Dedhia.
Respondents: For Xander: Adv. Devang
Savnath i/b Khaitan & Co.

FINAL ORDER

28th June 2018.

The complainants have filed this common complaint in respect of different flats booked by them in the promoter's project. They have also added Xander Finance Pvt Ltd., Reserve Bank of India, Institute of



Chartered Accountants and Jt. Police Commissioner (EOW) as the respondents in the matter.

2. Section 31 of Real Estate (Regulation and Development) Act, 2016 provides that any aggrieved person can file the complaint when any promoter, allottee or the real estate agent violates or contravenes any provision of RERA and Rules and Regulations framed thereunder. Therefore, the Authority or the Adjudicating Officer, as the case may be, has the jurisdiction to decide the matter filed against such promoter, allottee or the real estate agent only.

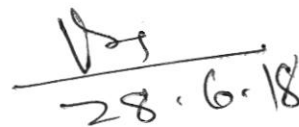
3. It becomes very embarrassing and difficult to adjudicate the complainants' individual claims when one complaint of more than one complainant in respect of more than one flat is filed. The complaint is not maintainable against respondents except the promoter. Therefore, it is desirable to file separate complaints against the promoter, allottee or the real estate agent as the case may be as provided by Section 31 of RERA.

4. Therefore the complaint in the present form is not maintainable as it suffers from misjoinder of parties and is hereby dismissed.

5. The complainants are at liberty to file their separate complaints on the same set of facts and cause of action.

Mumbai.

Date: 28.06.2018.



(B. D. Kapadnis)
Member & Adjudicating Officer,
MahaRERA, Mumbai.