

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000000261

Shri Nilesh Kudalkar,

Proprietor, Kings Builders & Developers

.... Complainant

Versus

Kings Empire Heights Pvt Ltd
MahaRERA Regn: P51800004044

... Respondent

Coram

Hon'ble Shri Gautam Chatterjee, Chairperson

26th September 2017

Final Order

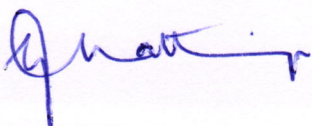
Complaint was pleaded by Mr. Sanjay Chaturvedi, Adv.

Respondent was represented by Mr. Altaf Khan, Adv.

Complainant has entered into a development agreement with a society named Anandam CHS Ltd (hereinafter to be referred as the *said project*) and sanctions and approvals pertaining to the same have been issued in its name and the complainant has entered into a joint development agreement with the respondent for development of the said project.

The case was first heard on September 19, 2017. The complainant alleged that the respondent has made the following incorrect or incomplete disclosures in the MahaRERA registration application pertaining to the said project:

- a) name of the complainant's proprietor (Mr. Nilesh Kudalkar) who is a director in the respondent company, has not been disclosed.
- b) copy of the said joint development agreement not disclosed.
- c) certain litigations pertaining to the parties concerned in this case, not disclosed.
- d) respondent has wrongly uploaded Mr. Nilesh Kudalkar's photo in the profile of another director of the respondent company and



- e) various other matters not pertaining to the violations of the Real Estate (Regulation and Development) Act, 2016.

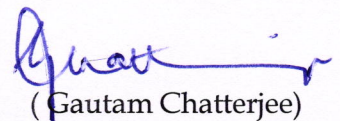
Complainant prayed for cancelation of the registration certificate of the respondent pertaining to the said project, to freeze designated bank account disclosed for registration purpose, detailed agreements for sale entered for all sold flats and to stay all activities on the project including any further agreements for sale and any other relief which MahaRERA may deem fit.

The respondent's advocate responded by saying that some of the incompleteness in uploading the information has been mainly due to the differences between the directors of the respondent company and also because some of the litigations have happened after the application for registration was made. He further added that the complainant, being a director, is very much a part of the respondent company. He sought time to upload pending information, if any, pertaining to the said project on the MahaRERA website within a period of seven days ending on September 25, 2017.

On the next date of hearing on September 26, 2017, the respondent's advocate submitted written statement clarifying that they have uploaded the information, as sought by the complainant, on the MahaRERA website. He further stated that the name of the complainant's proprietor (Mr. Nilesh Kudalkar) as one of the directors of the respondent company, could not be added due to certain technical issues.

With the technical issues now resolved, the respondent is directed to upload the name of the complainant as a director of the respondent company on the MahaRERA website within a period of two days ending on 28th September 2017.

With above directions, the complaint stands disposed of.



(Gautam Chatterjee)
Hon'ble Chairperson, MahaRERA