

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO. CC005000000022498

Rajendrakumar Hanumant Sonawane ... Complainant

Versus

Nandini Group Promoters and Builders
MahaRERA Regn. No. P52100014245 ... Respondent

Corum: Shri Gautam Chatterjee, Chairperson, MahaRERA

Complainant was represented by Mr. Anand Mamidwar, Adv.
Respondent, Mr. Tanaji Pondkule, Partner, was present.

Order


May 16, 2019

1. The Complainant has purchased an apartment bearing No. D-304 in the Respondent's project 'Nandini Orchid Phase 1' situated at Haveli, Pune via a registered agreement for sale dated August 04, 2015. The Complainant has alleged that the Respondent has failed to handover possession of the said apartment till date.
2. The Complainant prayed that the Respondent be directed to refund the amount paid and pay them interest as per the provisions of section 18 of the Real Estate (Regulation and Development) Act, 2016 (*hereinafter referred to as the said Act*).
3. The Respondent was absent, despite service of notice.
4. On review of the Respondent's registration webpage it is observed that the project registration has already lapsed and the promoter has not sought any extension under Section 6 of the Act.
5. In a previous Complaint filed against the said project, the learned counsel for the Respondent had submitted that the said project was completed in March 2014, and that most of the



allottees have already taken possession. However, he submitted the Respondent is yet to receive the Occupancy Certificate (OC) from the concerned local authority and that the same will be obtained shortly.

6. During the course of the hearing, it was explained to the Complainant that since the project registration has lapsed, the allottees should explore the possibility of invoking the provisions of section 7/8 of the said Act to complete the project with OC.
7. In view of the above facts, the Respondent shall handover the list of allottees of the said project to the Complainant within 30 days from the date of the said Order, to enable the allottees to take an informed decision pertaining to the said project. The allottees are advised to proceed under Section 7/8 of the Act as per the MahaRERA Order no. 8/2019 dated March 29, 2019 on Revocation of Registration of Project.
8. The Respondent may seek the approval of the association of allottees for order under Section 7(3) of the said Act, as per MahaRERA Order no 7/2019 dated February 8, 2019 on Revocation of Registration of Project for reviving and completing the said project.
9. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA