

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

1. Complaint No. CC006000000100412

Mr. Sanjay Khandelwal Complainant

Versus

Mr. Jayant Mehta
M/s. Khambahati Modh Vanik Samaj Respondents

Along With

2. Complaint No. CC006000000100413

Mr. Ajit Jain Complainant

Versus

Mr. Jayant Mehta
M/s. Khambahati Modh Vanik Samaj Respondents

Along With

3. Complaint No. CC006000000100414

Mrs. Huzefa Baruchwala Complainant

Versus

Mr. Jayant Mehta
M/s. Khambahati Modh Vanik Samaj Respondents

Along With

4. Complaint No. CC006000000100415

Mr. Saifuddin Hathiari Complainant

Versus

Mr. Jayant Mehta
M/s. Khambahati Modh Vanik Samaj Respondents

Project Registration No. P51800010479

Coram: Dr. Vijay Satbir Singh, Hon'ble Member – 1/MahaRERA

Adv. Avinash Pawar appeared for the complainant.

None appeared for the respondent.

ORDER

(21st January, 2020)

1. The complainants have filed these 4 separate complaints seeking direction from the MahaRERA, to the respondent, to execute and register the agreements for sale as provided under Section-18 of the



Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as "RERA") in respect of booking of their respective flats in the respondent's project known as "**Samaj Darshan**" bearing MahaRERA registration No. P51800010479 situated at Kandivali, Mumbai.

2. These complaints were heard finally today, when the complainants appeared through their advocate and made their submissions. The respondent failed to appear though the notice of hearing were duly served upon them. However, the respondent has sent an email seeking adjournment to file the reply against the complaint. However, during the hearing and thereafter, it was noticed that according to the information available on MahaRERA website, the validity period of the said project has already lapsed on 31/12/2019. Further, the respondent has not uploaded Form-4 and occupancy certificate on MahaRERA website. Therefore, prima facie, it shows that the project is still incomplete.
3. In this regard, the MahaRERA is of the view that the promoter of such project should apply to MahaRERA for extension of the project. It should enable the formation of the association of allottees under section -11(4)(e) of the RERA, sharing the project related information with the allottees. The association of allottees can contemplate action under section 7 of the RERA to complete the project.



4. In view of the above facts, the respondent is directed to approach MahaRERA for extension of the project period or take any other action to revive the project giving a definite timeline for its completion. The respondent is further directed to share the information of allottees with the complainants in a period of one month.
5. With these directions, the complaints stand disposed of with the liberty to the complainants to approach MahaRERA for redressal of their grievances, if any, after the project is revived.



(Dr. Vijay Satbir Singh)
Member – 1/MahaRERA

महा-रेरा