

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000044064

Sunil Kutty Menon

... Complainant

Versus

Oberoi Constructions Limited
MahaRERA Regn.No. P51800002656

... Respondent

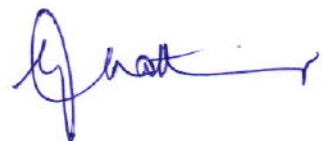
Corum: Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was himself present a/w Ms. Sandhya Sondhi, Adv. (i/b SVS Legal).
Respondent was represented by Mr. Rajeevan Nair, authorised representative a/s Ms. Richa Singh, Adv.

Order

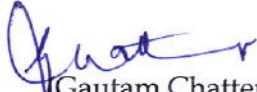
September 14, 2018

1. The Complainant has purchased an apartment bearing no 2003 in the Respondent's project 'Enigma Towers A and B' situated at Mulund, Mumbai. The Complainant stated that he wants to transfer his allotment to another apartment, of a lesser carpet area. Therefore, he prayed that the Respondent be directed to cancel the said agreement for sale and execute and register the agreement for sale for another apartment with a lesser carpet area.
2. The authorised representative for the Respondent submitted that he is willing to transfer the Complainant's allotment to another building. Therefore, both parties sought adjournment to amicably settle the matter.
3. On the next date of hearing, the parties informed that the negotiations have failed.
4. The Complainant has not been able to point out any contravention or violation of the provisions of the Real Estate (Regulation and Development) Act, 2016 or the rules or regulations made there under. In case the Complainant does not intend to continue in



the project, termination of the said agreement shall be guided by the termination clauses as stipulated in the said agreement. Since the parties are in the process of negotiating the transfer of allotment, the parties are directed to execute and register the agreement for sale for the revised allotment, as per the provisions of section 13 of the Real Estate (Regulation and Development) Act 2016 and the rules and regulations made thereunder within 60 days from the date of this Order.

5. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA