

**MAHARASHTRA REAL ESTATE APPELLATE
TRIBUNAL UNDER RERA ACT**

(6)

No.AT005000000010340

Darode Jog Homes Pvt. Ltd.

.. Appellant/s

V/s.

1. Sukrut Rajmane
2. Kastur Rajmane
3. Yogesh Rajmane

..Respondent/s

CORAM :Hon'ble Shri K. U. CHANDIWAL, J.
President, Maharashtra Revenue Tribunal, Mumbai
& I/c. Maharashtra Real Estate Appellate Tribunal
under Maharashtra RERA Act
DATED:-9th October, 2018

:- ORDER :-

Called out at 3.35 PM.

The respondents present in person.

1. While filing appeal by the promoter, he did not remit hard copies of the appeal. A communication was sent on 2nd October 2018 to comply the requisitions. Prior thereto the allottee / respondent ~~was~~ also informed. The allottee says the first order of MahaRERA is 14th February 2018 thereafter there was hearing on 18th April 2018 where the builder / promoter did not even bother to appear. Consequently, the promoter was directed to pay Rs.1000/- per day as penalty. The order dt. 18th April 2018, is not complied with, in its letter and spirit by the Promoter/ appellant Darode.

2. On 12th July 2018 the allottee received e-mail from MahaRERA that an appeal has been preferred against the order passed by the



Adjudicating Officer. Consequently, the allottee waited for outcome. In spite of waiting for long duration, the grievance of allottee is, there is no progress in the matter from the promoter.

3. The above factual scenario should not be in contest. The lethargic approach of the promoter in dealing with the matter cannot be countenanced and consequently for want of compliance even want of compliance of first order under sec. 43(5)-Proviso of RERA the appeal fails and is accordingly dismissed.
4. All the avenues of the allottees to be exhausted before appropriate Adjudicating Authority.
5. No costs.



Place: Mumbai (K. U. CHANDIWAL, J.)
Dated: 9th October, 2018 President,
Maharashtra Revenue Tribunal,
Mumbai
& I/c. Maharashtra Real Estate
Appellate Tribunal, (MahaRERA),
Mumbai