

BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

MUMBAI

1. COMPLAINT NO. CC00600000012158
Pankaj Vrajlal Mehta
2. COMPLAINT NO. CC00600000012028
Varsha Refractories Private Limited
3. COMPLAINT NO. CC00600000090024
Prabhudas Patel and Manjula Patel
4. COMPLAINT NO. CC00600000090023
Vijay Prabhudas Patel and Jigna Vijay Patel
5. COMPLAINT NO. CC00600000090018
Bhvesh Prabhudas Patel and Beena Bhavesh Patel
6. COMPLAINT NO. CC00600000089994
Sachin Naik and Jigna Naik
7. COMPLAINT NO. CC00600000089856
Umesh Lad and Kusum Lad

... Complainants

Versus

Shree Adiraj Laxmi Builders Pvt. Ltd
MahaRERA project Regn. No. P51700013368

... Respondent

Corum: Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainants 1 and 2 were represented by Mr. Sunil Agrawal, Adv.
Complainants 3 - 7 were represented by Mr. Niraj Vishwakarma, Adv.
Respondent, Mr. Hitesh Patel, Director; and Mr. Nilesh Patel, Authorised signatory; were themselves present a/w Mr. M. K. Tiwari, Adv.

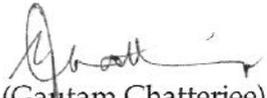
Order

September 11, 2019

1. The Complainants have booked apartments in the Respondent's project 'Adiraj Crystal' situated at Ambernath, Thane. The Complainants have stated that the Respondent has failed to execute and register the agreements for sale, complete the project and hand over possession, till date. Therefore, the Complainants prayed that the Respondent be directed to

execute and register the agreement for sale in accordance with the provisions of the Real Estate (Regulation and Development) Act, 2016 and the rules and regulations made thereunder.

2. The Respondent submitted that the project registration has lapsed. Further, he submitted that the construction work of the project could not be completed because of reasons which were beyond the Respondent's control.
3. On review of the Respondent's registration webpage, it is observed that the project's registration has lapsed. Therefore, during the course of the hearing, it was explained to the Complainants 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 through the association of allottees.
4. At this stage when the project is stand still, the only way forward would be to protect the right of the allottees and enable them to form an Association.
5. In view of the above facts, the Respondent is hereby directed to handover the list of allottees of the said project, along with their contact details, to the Complainants within 30 days from the date of this Order, to enable the allottees to take an informed decision pertaining to the said project and if the association of allottees may like 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.
6. 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.
7. Consequently, the matters are hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA