

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

COMPLAINT NO : CC006000000012403

Shrawankumar Pardeshi ... Complainant

COMPLAINT NO : CC006000000012426

Shrawankumar Pardeshi ... Complainant

COMPLAINT NO : CC006000000012455

Shrawankumar Pardeshi ... Complainant

Versus

Sagar Shopping Developers  
MahaRERA Regn. No: P51800012870 ... Respondent

Coram  
Hon'ble Shri Gautam Chatterjee, Chairperson

**Order**

April 5, 2018

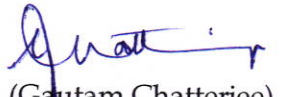
Complainant represented by Mr. Chirag Desai, Adv.

Respondent represented by Mr. Yash Mehta, Adv. (Dua Associates)

1. The Complainant has stated that the Respondent had executed three Memorandums of Understanding dated July 5, 2004 with the Complainant to provide two shops/gallas and one 2BHK apartment (*hereinafter referred to as the said premises*) to the Complainant in lieu of the premises and shop owned by the Complainant on the plot that is being redeveloped by the Respondent. The Complainant alleged that the Respondent has failed to execute and register the agreements for permanent alternate accommodation for the said premises and handover possession of the same till date. Therefore, the Complainant prayed that the Respondent be directed to execute and register the agreements for permanent alternate accommodation for the said premises and handover possession of the same at the earliest. The Complainant also prayed that the Respondent be directed to pay interest to him for the delayed possession.



2. During the course of the hearing, it was explained to the Complainant that the provisions of section 13 are applicable to transactions that involve an agreement for sale and not agreement for permanent alternate accommodation. It was also explained that the provisions of section 18 of the Act, allowing interest on delay, are not violated
3. 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 and therefore, MahaRERA is not the proper forum to resolve the above mentioned issues, raised by the Complainants.
4. The complaints are, therefore, dismissed.

  
(Gautam Chatterjee)  
Chairperson, MahaRERA