

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

COMPLAINT No: CC006000000012510

Mr. Hasmukh Punshi Nisar

.....

Complainant

Versus

Smt. Vijaya Power

MahaRERA Registration No. P51700008053

.....

Respondent

Coram: Hon'ble Dr. Vijay Satbir Singh, Member-1.

Adv. Nitin Wathore appeared for the complainant.

None appeared for the respondent.

ORDER

(17th May 2018)

1. The complainant has filed this complaint seeking directions from this Authority to treat the respondent who is land owner, Investors having area, revenue sharing in the real estate project as promoter in MahaRERA registered project bearing No. P51700008053 at Shil, Dist Thane.

2. During the hearing, it was brought to the notice of this Authority that the respondent, who is land owner had filed complaint before the MahaRERA bearing No. CC006000000000320 against the present complainant seeking directions from this Authority to hold the Development agreement executed between the complainant and the respondent stands terminated and allow her to permit to appoint new promoter to complete the said project and also to direct the respondent therein to pay compensation for the huge monetary loss and the mental agony faced by the complainant. In the said complaint, Division Bench of the MahaRERA had passed an order on 18-09-2017 and



directed the complainant herein to join the name of respondent Mrs. Vijaya Powar, as co-promoter in the MahaRERA project bearing No. P51700008053. Being aggrieved by the said order, the respondent herein has filed Writ Petition bearing (St) No.32410 of 2017 before the Hon'ble High Court of Judicature at Bombay. The said Petition is clubbed along with other connected Petition bearing W.P.(St) No.1737 of 2018 filed by the complainant herein. In the said petition, the Hon'ble High Court was pleased pass ad-interim order and same is continued till date.

3. Since the subject matter of this case is sub-judice as explained above, it is not appropriate to decide the issue at the level of this Authority.
4. Accordingly, the complaint stands dismissed for want of justification.



Dr. Vijay Satbir Singh)
Member-1/MahaRERA