

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

COMPLAINT NO: CC006000000000185

Mr. Digambar Shankar Jathar
Versus

.... Complainant

M/s. Jangid Construction

MahaRERA Registration No. P51700004127

..... Respondent

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

The complainant appeared in person.

Advocate Sonappa Nandrankar appeared for the respondent.

Order

(Date : 5th January, 2018)

1. The complainant has filed this complaint seeking directions of this Authority to the respondent to refund the amount paid by him with interest in MahaRERA registered project bearing No.. P51700004127.
2. This matter was heard on several occasions and the same was finally heard today. It is the case of the complainant that he had booked a flat in "Jangid Galaxy", Tower No. 3, Flat No. 1009 on 5th of August 2014 through their marketing agents " M/s India Bulls Ltd " on the assurance of giving possession in 6 months. He had paid Rs. 25 lakhs as booking amount to the respondent. However, there was no satisfactory progress in the project and hence he cancelled the booking and sent a letter on 26th September 2016 to the marketing agent viz M/s. India Bulls Pvt Ltd. But he has yet to receive response for the said cancellation and also refund of the amount paid by him with Interest @ 14% p.a. The respondent denied the claim of the complainant in toto.
3. However as on today there is no agreement executed between the complainant and the respondent. Therefore, the complainant cannot claim any relief from this Authority. Since the complainant has paid more

than 10% of the total consideration amount to the respondent, an agreement is required to be registered as per the provisions of the RERA Act. During the hearing the respondent agreed to execute the agreement with the complainant.

4. In view of the above facts, this Authority directs both the parties to execute the registered agreement as per provisions of RERA Act, Rules and Regulations made thereunder within a period of 30 days on payment of statutory charges by the complainant.
5. With above directives, the complaint stands disposed of.


(Dr. Vijay Satbir Singh)
Member-1