

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

COMPLAINT No. CC006000000044342

Mr. Gopakumar Menon

.... Complainant

Versus

M/s. Nahalchand Laloochand Pvt. Ltd.

.... Respondents

MahaRERA Registration No. P51800004816

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

The complainant appeared in person.

Adv. Patankar appeared for the respondent.

Order

(19th July, 2018)

1. The complainant has filed this aforesaid complaint seeking directions from this Authority to the respondent to allot one basement mechanical puzzle parking in the Respondent's project known as "NL Aryavarta" bearing MahaRERA Regn. No. P51800004816 situated at Dahisar, Taluka Borivali.
2. The matter was heard on 28th June, 2018 and the parties were directed to file their respective written submissions on record of this Authority. Accordingly, the respondent has filed submission, which is on record of this Authority.
3. It is the case of the complainant that as per the registered Agreement for Sale dated 6th August, 2016, the respondent has sold Flat Bearing No. 1302 sq. ft. in Wing-B in respondent's project on 13th floor alongwith one basement mechanical puzzle parking. However, the respondent failed to provide the parking as per the terms and conditions of the Agreement. The respondent has stated that as per the registered Agreement for Sale dated 6th August, 2016 the respondent agreed to

allot one cupboard parking space No. 133, Upper Level in Basement Mechanical Dependent Stack in the basement of the said building and the said parking space has been sanctioned by the Competent Authority. As per the sanctioned plan, the Mechanized parking system envisaged in the Agreement for Sale was for the use and enjoyment of the purchaser of the said flat. Accordingly, the respondent has already handed over the possession of the flat along with cupboard parking space No. 133 to the complainant on 9th May, 2018. After verifying and inspecting the same the complainant has taken possession of the same and accordingly, he signed the possession receipt and after taking possession of the same, the complainant deliberately addressed letter and raised objections for the parking and therefore, there is no merits in the complaint.

4. This Authority has perused the submissions made both the parties on the record of this Authority. It appears that the complainant is seeking Mechanized Puzzle Parking space as per the registered Agreement for Sale and the respondent has allotted the covered parking to the complainant vide letter dated 19th May, 2018. The complainant has accepted the said allotment letter for covered parking space.
5. Since the complainant has already accepted the covered parking space in lieu of the Mechanized Puzzle parking, there is no reason for him to pursue the complaint with MahaRERA on this issue.
6. In view of these facts, the complaint stands dismissed for want of merits.



(Dr. Vijay Satbir Singh)
Member-I, MahaRERA