

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

Complaint No. CC006000000171647

Mr. Hardik Hasmukhlal Shah

.... Complainant

Versus

M/s. Buildwell Constructions a/w. Shreeji Constructions

.... Respondent

Project Registration No. **P51800007630**

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

Adv. Chintan Bhuva appeared for the complainant.

Adv. Jash Joykrishna Dalia appeared for the respondent.

ORDER

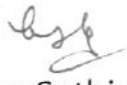
(14th January, 2020)

1. The complainant has filed this complaint seeking direction from the MahaRERA to the respondent to refund the amount paid by the complainant to the respondent under section 12 of the Real Estate (Regulation & Development), Act, 2016 (hereinafter referred to as RERA), in respect of booking of his flat in the respondent's project known as **"Shreeji Parkview"** bearing MahaRERA registration no. P51800007630 situated at Borivali, Mumbai.
2. During the hearing today, the complainant stated that, he booked the flat in the respondent's project in the month of January 2019. The respondent issued a provisional allotment letter to the complainant. But till date the respondent has not yet issued the booking letter neither has it issued the permanent allotment letter. At the time of booking, the total consideration of the said flat was Rs. 82,50,000. However, the respondent has now changed the plans and along with it, the area of the complainant's flat has also changed. The



complainant therefore prayed for refund since the respondent has made false statement to the complainant.

3. The respondent stated that, they have not changed the plans and it is still only a proposal. Further, they stated that, the floor plan of the said project has not changed and the area of the flat booked by the complainant is still the same. The respondent therefore prayed for dismissal of complaint.
4. In light of the above, since the complainant is seeking refund of the amount paid by him along with interest and compensation, the complaint stands transferred to Ld. Adjudicating Officer, Mumbai for deciding the matter and for further decision as per the provisions of section 12 of the RERA.


(Dr. Vijay Satbir Singh)
Member – 1/MahaRERA