

**THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY**

**MUMBAI.**

**COMPLAINT NO: CC00500000004450.**

Antop Hill Warehousing Co.Ltd.

... Complainants.

**Versus**

M/s. Nuemac Builders & Developers  
(Shreeji Towers)

...Respondents.

MahaRERA Regn: **P51900012467.**

**Coram:** Shri B.D. Kapadnis,  
Hon'ble Member & Adjudicating Officer.

**Appearance:**

Complainant: Adv. Rajashree Ram i/b  
M/s Hariani & Co.

Respondents: Absent - Ex parte.

**FINAL ORDER**

**7<sup>th</sup> August 2018.**

The complainants have filed this complaint to complain that the respondents have contravened Section 4 of the Real Estate (Regulation and Development) Act, 2016 by not uploading the order of Hon'ble High Court passed in Writ Petition No. 901 of 2017 dated 14.09.2017.

2. The respondents have pleaded not guilty.

3. The respondents have failed to file their reply. In fact, nobody has appeared for them. Heard the learned Advocate of the complainants and perused the documents.

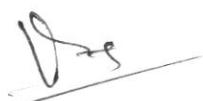


4. The learned advocate of the complainants has brought to my notice the order of the Hon'ble High Court passed in Writ Petition No. 901 of 2017 dated 14<sup>th</sup> November 2017. The Hon'ble High Court has directed that the construction made on city survey no. 158 shall be subject to final outcome of the Writ Petition and no equity shall be claimed by the Respondent No. 7( of the said Petition).

5. I have inspected the web page of the respondents' registered project. They have mentioned in the column of pending litigation number of the Writ Petition. However, they have mentioned that no interim order is passed. It appears that they have supplied this information when they have registered the project on 01.09.2017. On that day the interim order referred above was not passed and hence, the information furnished by the respondents was correct.

6. The web page further discloses that the respondents have modified/updated the information on 10.07.2018. However, they have not corrected the information relating to the Writ Petition No. 901 of 2017. They ought to have mentioned that in the said Writ Petition the interim order referred to above has been passed. In order to give the full idea to the allottees, it is expected from the promoters to furnish all necessary information about their project by uploading it on the web site of MahaRERA. It appears that they have failed to update the information regarding the interim order dated 14.09.2017. It is also necessary for them to upload the said order in the column of other information/documents. Thus, the respondents have contravened Section 4 of RERA.

7. After taking into consideration the facts and circumstances of the matter, it is not desirable to impose penalty on the respondents but to direct them to upload the correct information. Hence the following order.

A handwritten signature in black ink, appearing to read 'V. S. S.' followed by a stylized surname.

## ORDER

The respondents shall furnish correct information about the passing of the interim order in Writ Petition No. 901 of 2017 in the column of pending litigation and they shall upload the said order also on website within the period of next seven days, failing which they shall pay the penalty of Rs. 10,000/- per day till the order is complied with.

Mumbai.

Date: 07.08.2018.



( B. D. Kapadnis )  
Member & Adjudicating Officer,  
MahaRERA, Mumbai.