

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

COMPLAINT NO: CC006000000001409

Mr. Kiran Anil Ghai

.. Complainant

Versus

M/s. Aanya Realtors

MahaRERA Registration No. P51700006040

..... Respondent

Coram: Hon'ble Gautam Chatterjee , Chairperson.

Hon'ble Dr. Vijay Satbir Singh, Member 1

Hon'ble B.D. Kapadnis, Member 2

The complainant appeared in person.

Mr. Rohit Chugani and Ms. Rita Patel the respondent appeared in person.

Date :13th December 2017


Order

1. The complainant has filed this complaint seeking directions to the respondent to refund the booking amount paid by the complainant in the MahaRERA registered project bearing No. P51700006040.

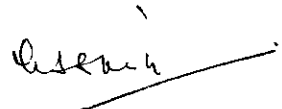
2. This matter was heard today by the Full Bench of MahaRERA. During the hearing, the complainant has stated that he has booked a flat in the project known as "Falco Chesire" of the respondent and he has paid the booking amount. But, till date no registered agreement was executed between them. However, due to delay caused by the respondent, the complainant had cancelled the booking and requested for refund of the amount paid by him. However, no response has been given by the respondent so far. Hence, the present complaint has been filed. However, the respondent has stated that he has sent email to the complainant and informed him that they are ready

to refund the amount paid by the complainant as per the terms and conditions of the allotment letter.

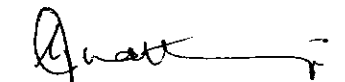
3. Considering the aforesaid facts, this Authority feels that due to delay on the part of the respondent in completion of the project, the complainant wants to cancel the booking and he is seeking refund of the booking amount. Therefore, this Authority is of the view that there is a valid and justified reason for cancellation of the booking of the flat. The complainant should not suffer due to the fault of the respondent and the amount paid by the complainant is required to be refunded.
4. In view of the above, this Authority directs the respondent to refund the amount to the complainant within 45 days from the date of this order by deducting 7.5% of the booking amount towards the administrative charges.
5. With the above direction the complaint stands disposed of.



(B. D. Kapadnis)
Member-2 /MahaRERA



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



(Gautam Chatterjee)
Chairperson/MahaRERA