

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC00600000012191

Izharul Hoque Siddiqui ... Complainant

Versus

K D Builders ... Respondent
MahaRERA Regn.No. P51800008606

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was himself present.

Respondent was represented by Mr. Mukesh Deora, Authorised Signatory

Order

January 22, 2018

1. The Complainant has alleged that the Respondent has failed to disclose details in their MahaRERA registration pertaining to litigation pending in the Hon'ble Bombay High Court. He has, further, alleged that the Respondent has failed to mention their MahaRERA registration number on the advertising hoardings displayed outside their project site.
2. The Respondent argued that the said hoarding was put up much before the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as the said Act) coming into force and he had inadvertently failed to rectify the same. However, he stated that the same has now been rectified.
3. Further, the Respondent argued that his project registered with MahaRERA is that of SRA and that the litigation mentioned by the Complaint pertains to deciding eligibility of slum-dweller in the rehabilitation portion of the said project. Therefore, he did not think it necessary to disclose the same in their MahaRERA registration.



4. Section 4(2)b of the said Act reads as thus:


... (2) The promoter shall enclose the following documents along with the application referred to in sub-section (1), namely:

(b) a brief detail of the projects launched by him, in the past five years, whether already completed or being developed, as the case may be, including the current status of the said projects, any delay in its completion, details of cases pending, details of type of land and payments pending; ...

Therefore, the said Act mandates that the promoter should disclose all litigations pertaining to the project being registered with MahaRERA.

5. In view of the above facts, the respondent is directed to upload full and complete disclosures, specifically, the litigation mentioned by the Complainant, in their MahaRERA registration as required under section 4 of the said Act and the rules and regulations made thereunder, within 2 days from the date of this Order.

6. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA