

BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

MUMBAI

1. COMPLAINT NO. CC006000000054568
Dinesh Sitaram Hande
2. COMPLAINT NO. CC006000000054665
Niranjan Kapur and Anuradha Kapur
3. COMPLAINT NO. CC006000000023727
Punit Dinesh Soni, Dinesh Kalyanji Soni, Brinda Punit Soni
4. COMPLAINT NO. CC006000000055949
Mrs. Jayshree Sachin Shenvi and Mr. Sachin Shenvi
5. COMPLAINT NO. CC006000000056143
Sunita Sarpotdar and Vaibhav Sarpotdar
6. COMPLAINT NO. CC006000000056533
Bhakthavathsala M Shetty
7. COMPLAINT NO. CC006000000056731
Pragya Rajbhushan Jain
8. COMPLAINT NO. CC006000000057555
Madhuri Mukund Pawar
9. COMPLAINT NO. CC006000000058048
Ashish Bhattacharya
10. COMPLAINT NO. CC006000000078434
Bhupinder Kumar Sharma & Mrs. Sushma Sharma
11. COMPLAINT NO. CC006000000078757
Vipin and Vidya Karkera
12. COMPLAINT NO. CC006000000078756
Manoj John
13. COMPLAINT NO. CC006000000079082
Deependra Bhalla



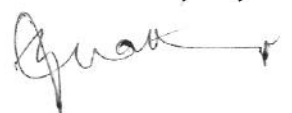
14. COMPLAINT NO. CC006000000078986
Mr. Rajeev and Mrs. Bharati Dhake
15. COMPLAINT NO. CC006000000079070
Vaishali and Amit and Pankaj and Foram Desai
16. COMPLAINT NO. CC006000000078985
Henry and Pritam and Suzan Dsouza
17. COMPLAINT NO. CC006000000078981
Mr. Kiran and Mrs. Kanchan Salunke
18. COMPLAINT NO. CC006000000079031
Mr Parag and Mrs Mrugshee Gogate
19. COMPLAINT NO. CC006000000079083
Chetan Seth
20. COMPLAINT NO. CC006000000079126
Mrs Sangeeta Suryanarayanan and Mr Subramaniam Gopalkrishnan
21. COMPLAINT NO. CC006000000079130
Satyaprakash
22. COMPLAINT NO. CC006000000079227
Mr Subroto and Mrs Mandira Bhattacharya
23. COMPLAINT NO. CC006000000079287
Mr Rajanikanth and Mrs Shyamala Naik
24. COMPLAINT NO. CC006000000079294
Mr Premachandren E.K and Mrs Sajini Premachandran
25. COMPLAINT NO. CC006000000079385
Chetan Ramkrishna Mhatre
26. COMPLAINT NO. CC006000000079225
Mr Anis and Mr Juzar Kanchwala
27. COMPLAINT NO. CC006000000079321
Mrs Sheela and Mr Dilip Bhawalkar
28. COMPLAINT NO. CC006000000079080
Mr Aloysius and Mrs Bernadine Wicket



29. COMPLAINT NO. CC006000000079449
Yogesh Dinkar Mane
30. COMPLAINT NO. CC006000000079339
Ms Lakshmi Tie Up Pvt Ltd
31. COMPLAINT NO. CC006000000079451
Mr Jose and Mrs Annamma
32. COMPLAINT NO. CC006000000089641
Mr Mohammed Zulfekar Khan and Mrs Kahkashan Khan
33. COMPLAINT NO. CC006000000089667
Mr Shrirang, Mr Rahul and Mrs Sheetal
34. COMPLAINT NO. CC006000000089727
Mrs Rohini and Mr Pradeep Patil
35. COMPLAINT NO. CC006000000089539
Mr Deepak and Mrs Hema Chandnani
36. COMPLAINT NO. CC006000000089740
Mr Santosh and Mrs Sanjana Mahadik
37. COMPLAINT NO. CC006000000089636
Mrs Vandana Bajaj and Mr Basha Mohammad and Mr Ramesh Bajaj
38. COMPLAINT NO. CC006000000089674
Mrs Harini Prabhakaran and Mr Mani Pradhan
39. COMPLAINT NO. CC006000000089923
Mr Ashok and Mrs Ujwala Jadhav
40. COMPLAINT NO. CC006000000089818
Deepak Aggarwal
41. COMPLAINT NO. CC006000000089728
Mr Prashant Narshinh Bagewadikar
42. COMPLAINT NO. CC006000000089627
Shailesh Vidyapati Rai
43. COMPLAINT NO. CC006000000089974
Mr Makarand and Mrs Geeta Karkare



44. COMPLAINT NO. CC006000000089877
Mrs Sunita Avinash Yadav
45. COMPLAINT NO. CC006000000090161
Mr Ashok and Mrs Jyoti Jadhav
46. COMPLAINT NO. CC006000000090047
Rohan Deshmukh
47. COMPLAINT NO. CC006000000089946
Dr Jayantilal Mandot
48. COMPLAINT NO. CC006000000100359
Mr Dhanasekharan and Mrs Kasthuribai Ramdhas
49. COMPLAINT NO. CC006000000100290
Mr Mayur and Mr Ashok Joshi
50. COMPLAINT NO. CC006000000100320
Mr Chandrakant Shah
51. COMPLAINT NO. CC006000000100322
Mrs Harsha Shah
52. COMPLAINT NO. CC006000000100216
Mr Swapnil and Mrs Sunita Mahajan
53. COMPLAINT NO. CC006000000100344
Mr Girish and Mrs Sneha
54. COMPLAINT NO. CC006000000110646
Dr Ratnaprabha Vinayak Pisal
55. COMPLAINT NO. CC006000000110632
Mr Kiran and Mrs Kavitha Kotian
56. COMPLAINT NO. CC006000000110684
Mrs Valsala Sudevan and Mr Sudevan Appu
57. COMPLAINT NO. CC006000000110689
Mr Amarjit Singh Azad



58. COMPLAINT NO. CC006000000110725

Mrs Anita, Mr Anant and Mr Vaibhav Rane

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Complainants

Versus

Housing Development and Infrastructure Ltd.

MahaRERA Regn. No. P51800007283 ...

Respondent

Order

September 03, 2019


1. The present complaints have been filed by allottees of the Respondent's project "Majestic Tower" situated at Nahur (W), Mumbai. The Complainants have stated that the date of handing over possession as promised by the Respondent is long over but the project work is incomplete and stalled and they are yet to receive possession of their apartments. Therefore, some of the Complainants have prayed, inter alia, that the Respondent be directed to handover possession of the apartments at the earliest and pay them interest for delay, while some of the Complainants have prayed the Respondent be directed to refund the amounts paid with interest and compensation.
2. The learned counsel for the Respondent has informed this Authority via letter dated August 26, 2019, that by virtue of an Order dated August 20, 2019 in CP (IB) No. 27/I & BP/MB/2019 passed by the Hon'ble National Company Law Board Tribunal (NCLT), Mumbai bench, the Respondent is under an insolvency resolution process and that an insolvency resolution professional has already been appointed by the said Order. Therefore, they submitted that the present complaints cannot be proceeded with until the said insolvency resolution process is completed. Further, he submitted that the said Order, pursuant to section 7 (2) of the Insolvency and Bankruptcy Code, 2016, the Hon'ble NCLT has already imposed a moratorium against institution or continuation of any suits or proceedings against the Respondent till the Insolvency Resolution Process is completed. Therefore, he prayed the present complaint be kept in abeyance till the said insolvency resolution process is completed.



3. Para 10 (IV) of the said Order dated August 20, 2019 reads as thus:

...The order of moratorium shall have effect from 20.08.19 till the completion of the corporate insolvency resolution process or until this Bench approves the resolution plan under sub-section (1) of section 31 or passes an order for liquidation of Corporate Debtor under section 33, as the case may be.....

4. In view of the above, though the Complainants are entitled for reliefs under the provisions of the Real Estate (Regulation and Development) Act 2016, the said relief cannot be granted at this juncture.
5. The present complaints are therefore disposed of with liberty to the Complainants to file fresh complaint after finalization of the said insolvency resolution process.


Gautam Chatterjee
(Chairperson, MahaRERA)