

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

COMPLAINT No: CC006000000001149

Mrs. Shruti Nagraj Joshi

..... Complainant

Versus

M/s. Kamalnath Universal Pvt Ltd

MahaRERA Registration No. P51800005722

..... Respondent

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

The complainant appeared in person.

Advocate Mr. T. Radhakrishna appeared for the respondent

**Order**

(20<sup>th</sup> December, 2017)

1. The complainant, who is an existing member of the re-development Society viz .Purvanchal CHS Ltd. at Mulund, has filed this complaint for following reliefs;
  - a) To direct the respondent to give possession of his flat with carpet area as agreed in the agreement as per MOFA Act or pay him compensation of Rs. 12 lakh against shortfall of area.
  - b) To pay full rent with interest till possession.
  - c) To pay interest for delayed possession as per MOFA.
  - d) To disallow the revised completion date mentioned by the respondent, while registering the project with MahaRERA.
  - b) To cancel/revoke the registration for furnishing false information and also to take action for various irregularities / fraudulent practices.
2. This matter was heard today. The complainant has stated that the respondent, while registering the project with MahaRERA, had submitted false information, regarding address of his company, total FSI consumed,

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Society's share, numbers of covered parkings, carpet area etc., He had also guaranteed 100% water supply to the said project. Due to failure in fulfilling the commitments by the respondent, the complainant has prayed for cancellation of MahaRERA project registration certificate issued in favour of the respondent. The complainant further stated that the revised completion date mentioned by the respondent is unreasonable and he has also not carried out the construction as per the sanctioned plan by the competent authority. Hence, the complainant requested to cancel the said revised completion date. However, the respondent has denied the contentions raised by the complainant.

3. Considering the rival submissions made by both the parties, this Authority feels that the complainant being a member of re-development Society has filed this complaint for specific performance of re-development agreement executed between the complainant and the respondent. However, this Authority is not competent to entertain such civil disputes. An identical issue in this project was decided in complaint bearing No. CC006000000001311 filed by Smt. Varsha Dharap on 18<sup>th</sup> December 2017.
4. In view of the clarifications given above, the complaint stands disposed of.



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