

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

COMPLAINT No: CC005000000011032

Mr. Amitava Ghosh

..... Complainant

Versus

M/s. Shree Sai Associates

MahaRERA Registration No. P52100011910

..... Respondent

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

The complainant appeared in person.

Mr. Yogesh Zagade appeared for the respondent

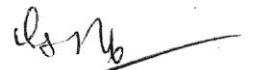
Order

(6th April 2018)

1. The complainant is an allottee in the MahaRERA registered project bearing No. P52100011910 belonging to the respondent, promoter. He purchased a flat bearing No. 1004, in Building known as "Phase V - M1" at Chakan in Pune. He has filed this complaint seeking directions from this Authority to the respondent to :
 - i) comply with the order dated 16-01-2018 passed by the Consumer forum,
 - ii) pay rent at the rate of Rs. 8,500/- per month.
 - iii) pay interest @24% for our own contribution.
 - iv) harassment charges of Rs.4,50,000/-.
2. This matter was heard today. During the hearing, the complainant has argued that he had booked the flat in the year 2015 for a total consideration amount of Rs. 17.38 lakh. Out of this, he has paid an amount

of Rs 6.25 lakh. However, the respondent has not carried out any construction on site so far. Hence, he wanted to cancel the booking and to get his money refunded. He, therefore, approached the State District Consumer Dispute Redressal Forum, Pune by filing complaint No.APDF/267/17. The State District Consumer Dispute Redressal Forum has passed an order on 16-01-2018 and issued certain directions to the respondent, which are not yet been complied with by the respondent. He, therefore, approached this Authority for appropriate directions to the respondent to implement the said order.

3. However, the respondent disputed the claim of the complainant and stated that he was going to challenge the order dated 16-01-2018 passed by the State District Consumer Dispute Redressal Forum before the apex court.
4. In view of these facts, this Authority is of the view that admittedly there is an order passed by the State District Consumer Dispute Redressal Forum under the provisions of MOFA Act, which is still in force. Therefore, the complainant can not file the parallel proceeding before this Authority for the same grievances. Further, the complainant is not able to establish his case under any provision of the Real Estate (Regulation & Development), Act, 2016 for which he is seeking such reliefs from this Authority.
5. Considering the aforesaid legal position, this Authority can not entertain this complaint.
6. The complaint, therefore, stands dismissed for want of merits.



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