

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

COMPLAINT No: CC006000000044346

Mr. Madhukar Manek

..... Complainant

Versus

M/s. Puranik Builders

MahaRERA Registration No. P51700000912

..... Respondent

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

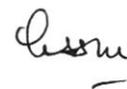
The complaint appeared in person..

Adv. Mohit Bhansali appeared for the respondent

**Order**

(16<sup>th</sup> August, 2018)

1. The complainant has filed this complaint seeking directions from MahaRERA to inquire and ~~cancel~~/revoke the MahaRERA registration certificate bearing No. P51700000912 known as "Puranik City Reserva Phase 1" at Thane issued in favour of the respondent promoter.
2. The complainant argued that the respondent while registering the said project with MahaRERA has submitted false declaration regarding the legal title and therefore, he requested to revoke /cancel the MahaRERA registration certificate issued in favour of the respondent. The complainant further argued that he has earlier entered into an agreement for sale with the original owners of the plot of land under the said project and the same land has been purchased by the respondent subsequently in the year 2002.
3. The respondent disputed the claim of the complainant and argued that the complainant has no locus standi to file the present complaint with MahaRERA since as per the property registered, he is neither lessee nor owner of the land on which the said project is implemented. He further



argued that the complainant has already filed declaratory Suit No. 608 of 2017 before the Thane Civil Court against the respondent. In the said suit, the Hon'ble Court has not granted any stay or injunction in favour of the complainant. Now the complainant by filing this complaint is trying to establish his title through MahaRERA which is not permissible under RERA Act. The respondent therefore, requested for dismissal of the present complaint.

4. This Authority has examined the rival submissions made by both the parties and also the documentary proof submitted on record. It appears that the complainant is seeking revocation / cancellation of the registration certificate issued by MahaRERA in favour of the respondent, on the ground that the respondent has submitted fraudulent title certificate. However, the complainant has not submitted any cogent documentary proof to show that the said document is fraudulent, such as, the order of the competent court declaring the said document as fraudulent. Further, the complainant is claiming the ownership right in respect of the property developed by the respondent and he has already approached the Civil Court and the said suit is sub-judice before the Civil Court. Therefore, the MahaRERA cannot take into consideration the claim of the complainant as on today since it is premature. Moreover, it is observed that the respondent has disclosed the pending litigation filed by the complainant on MahaRERA website. It shows that there is no violation of any provisions of RERA Act, 2016, Rules & Regulation made there under. Therefore, the complainant is not entitled to seek any relief from MahaRERA as on date.
5. In view of the above facts the complaint stands dismissed for the want of merits.

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