

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

COMPLAINT No: CC00600000055390

Mr. C.R. Padmanabhan Complainant
Versus
M/s. Goldstar Realtors Respondent.

Alongwith

COMPLAINT No: CC00600000055391

Mr. K.V. Gangadharan Complainant
Versus
M/s. Goldstar Realtors Respondent

Alongwith

COMPLAINT No: CC00600000055398

Mr. K.V. Chandran Complainant
Versus
M/s. Goldstar Realtors Respondent

Alongwith

COMPLAINT No: CC00600000055506

Mr. Pooja Gagwani Complainant
Versus
M/s. Goldstar Realtors Respondent

MahaRERA Registration No. **P99000008697**

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

The complainants appeared in person.

Adv. Pravin Navandar appeared for the respondents.


ORDER

(19th November, 2018)

1. The above named four allottees, have filed these complaints seeking directions from MahaRERA to the respondent to execute agreement for sale under section-13 of the RERA Act and to give possession of their respective flat within the stipulated period of three months. Alternatively, the respondent be directed to refund the entire amount paid by them for booking of their respective flats in the respondent's project known as "**Luxury Empire Township Phase III**", bearing MahaRERA Registration No. **P99000008697** situated at Palghar, Thane.



2. These complaints were heard on 9th October, 2018, where none appeared on behalf of the respondent. Hence, in compliance of principles of natural justice, this matter was again kept for hearing today. During the hearing, the respondent again remained absent though the hearing notice was duly served upon him through e-mail which shows that the respondent is not willing to prosecute in the present complaints. Hence this complaint were heard on merits.
3. During the hearing, the complainants have argued that they have booked their respective flats in the respondent's project and paid more than 40-50% to the respondent. However, till date, he has neither executed registered agreement for sale nor handed over the possession of their respective flats. Further even he has not issued allotment letters to the few allottees in the said project. The complainants therefore requested to grant relief under section-13 of the RERA Act.
4. During the arguments advanced by the complainants and on going through the records, the MahaRERA feels that the complainants have booked their flats in the respondent's project and paid more than 10% of the amount and hence as per the provisions of section-13 of the RERA Act, the respondent / promoter is liable to execute registered agreement for sale with the complainants.
5. In view of these facts, the MahaRERA directs the respondent to execute the registered agreement for sale with the complainants as per section-13 of the RERA Act in accordance with the allotment letter issued in favour of the complainants.
6. With the above directions, the complaints have been disposed of.


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