

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

COMPLAINT NO: CC006000000012116

Makarand N. Kulkarni	...	Complainant
Versus		
Ajanta Airavat Infrastructure LLP MahaRERA Reg. No: P51800013296	...	Respondent

**Coram**

Shri Gautam Chatterjee, Hon'ble Chairperson

Complainant represented himself.

Respondent did not appear, hence Order passed ex-parte.

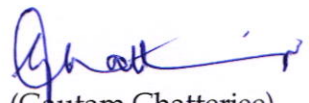
**Order**

22<sup>nd</sup> March 2018

1. The Complainant has filed this complaint stating that he had booked an apartment bearing No. 903-A in the building known as 'Kamala Horizen' situated at Datta Mandir Road, Off Bhandup Village Road, Bhandup (West), Mumbai 400 078 with M/s. Kamla Shakti Developers LLP (sister concern of M/s. Ajanta Airavat Infrastructure LLP - Respondent) through an allotment letter dated 12<sup>th</sup> September 2014 and paid around 20 % of the total consideration. Due to non-receipt of Commencement Certificate, the construction work did not start till June 2016 and therefore the Complainant decided to cancel his booking. The 'Kamala Horizen' project is registered with MahaRERA under the Registration No. P51800013296 with M/s. Ajanta Airavat Infrastructure LLP, as the promoter.
2. The Complainant approached Respondent for refund of his money against the cancellation of his apartment. Vide letter dated 17<sup>th</sup> March 2017, the Respondent accepted the Complainant's cancellation request and committed to refund money paid by the Complainant in four instalments as per the schedule mentioned in the said letter. However, till date, the Respondent has not refunded any money. The Complainant, therefore, has approached this Authority to direct the respondent to abide by his commitment of refund of the money.



3. For the hearings held on 15<sup>th</sup> February 2018 and 21<sup>st</sup> March 2018, the Complainant was present himself but the Respondent remained absent on both the days.
4. In this case, the Respondent after having committed to refund money in his letter dated 17<sup>th</sup> March 2017, has reneged and thus is liable to be held responsible for indulging in an unfair practice. Therefore, we direct the Respondent to refund the money to the Complainant as committed by him vide letter dated 17<sup>th</sup> March 2017 to the Complainant within 30 days from the date of this Order.
5. Consequently, the matter is hereby disposed of.

  
(Gautam Chatterjee)  
Chairperson, MahaRERA