

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

COMPLAINANT NO: CC00600000023747

Electronfab Engineering Private Limited ... Complainant

Versus

Runwal Constructions  
MahaRERA Regn. No. P51800012621 ... Respondent

Corum:  
Shri. Gautam Chatterjee, Chairperson, MahaRERA

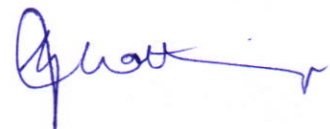
Complainant was represented by advocates of M/s. Gagrats, Advocates and Solicitors.

Respondent was represented by Mr. Saket Mone, Adv., a/w Mr. Subit Chakrabarty, Adv.,  
a/w Ms. Neha Joshi, Adv (i/b. Vidhii Partners) a/w Ms. Kerban Ankelsaria.


**Order**

June 26, 2018

1. The Complainant had booked apartments in the Respondent's project 'Runwal Infinity' situated at Nahur Village, Mulund, Taluka Kurla, District Mumbai Suburban. The Complainant, in his complaint, have alleged that the Respondent has purported to terminate the said bookings and cancel the allotment of the apartments on the pretext that the project had been delayed. Therefore, he prayed the Respondent's project registration be revoked, the Respondent be directed to complete the project in a timely manner and pending the hearing of this Compliant, the Respondent be restrained from amending the plans project without the consent of the allottees and that the Respondent be restrained in any manner from creating any third party rights.
2. It is seen that the Complainant has already filed a suit for specific performance and other reliefs in the Honourable Bombay High court, bearing suit No. 962 of 2014, challenging the cancellation of the said allotments and seeking specific performance



of the cancelled letters of allotment. Further, the Honourable Bombay High court has already passed a protective order in favour of the Complainant and also granted further protection to the Complainant by way of a direction to the Respondent to not create any third-party rights. Therefore, since the matter pertaining to the status of the Complainant as an allottee is already pending before the Honourable Bombay High court and the status of the Complainant as an allottee would be subject to the said suit, the said matter is not maintainable before MahaRERA.

  
(Gautam Chatterjee)  
Chairperson, MahaRERA