

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

**1. COMPLAINT NO. SC10000365**

Yusuf Z. Maimoon

..Complainant

Vs

Geeta Builders

..Respondent

**2. COMPLAINT NO. SC10000423**

Brian Soanis

..Complainant

Vs

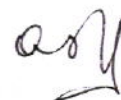
Bharat (Geeta Builders)

..Respondent

Adv. Om Bhanushali for the complainants in both the complaints present.  
Adv. Jitendra Singh Thakur for the respondents in both the complaints present.


**ORDER**  
**( 30<sup>th</sup> January, 2019 )**

1. These complaints have been filed for non-registration of the project of the respondent known as Geeta Heights, Near Kanakiya Police station on CTS No.396 at Meera Bhyander, Dist. Thane-401107. The complainants sought directions against the respondent to register this project with MahaRERA as per the provisions of Section 3 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as 'the said Act'). The complainant in complaint No.1 above is an allottee of A wing and the complainant in complaint No.2 above is an allottee of B wing of the said project.
2. Heard the Advocates for the complainants and respondents. On 28.11.2018 MahaRERA had directed to register the project within a period of one week and had also imposed the penalty of Rs.1,00,000/-



on the respondent. On 28.11.2018 when the Order was passed, the advocate for respondent was present.

3. It was pointed out by the advocate for the complainants that the earlier directions given by this Authority has not been complied with till today.
4. The advocate for the respondents submitted that though the CC was received, the revised CC was under process. He also submitted that due to status quo order passed by Thane Court, project has not been registered.
5. The advocate for complainants on the other hand, submitted that in the month of August, 2018 the stay/status quo order had also been vacated by Thane Court and heavy penalty be imposed for non-registration of the project and for failure to comply with the Order dated 28.11.2018 passed by MahaRERA as there is no valid reason stated by the respondents for non-registration of this project.
6. In view of the aforesaid circumstances, and after hearing both the advocates for the complainants and the respondents, the respondent is now directed to pay the penalty at the rate of 2% of the project cost or Rs.1.50 Crores (Rs. One Crores. Fifty Lakhs Only) whichever is lower for non-registration and failure to comply with the Order dated 28.11.2018, as per the provisions of the sections 59 and 63 of the said Act. The respondent is also directed to register the project within a period of 7 days from the date of receiving this Order to him and also pay the penalty in the account of MahaRERA.
7. With the aforesaid directions, both the complaints stand disposed of.

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