

# **MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL UNDER RERA Act**

**No.AT006000000000267**

Kirit Gandhi  
Block B, Flat D/1/1/, 33A Kalighat Road,  
Kolkata, West Bengal 700 025, .. Appellant/s

V/s.

1. M/s.Sunstone Developers JV  
Hubtown Sunstone, Near MIG Cricket Club,  
Bandra (East), Mumbai 400 051.

2. Hubtown Limited,  
Hubtown Solaris,  
N.S. Phadke Marg,  
Near Regency Hotel,  
Mumbai 400 069.

3. Swapanranjan Infrastructure Pvt. Ltd.  
2/C, 2<sup>nd</sup> Floor, Bhadoor Manzil,  
Store Lane, Fort,  
Mumbai 400 001.

..Respondent/s

Adv. Sagar Sarin for the Appellant.

Adv. Sachin Karia for the Respondents.

CORAM :Hon'ble Shri K. U. CHANDIWAL, J.  
Heard on : 30th August , 2018  
Dictated/Pronounced on:30th August, 2018  
Transcribed on : 31st August, 2018

## **:-ORAL JUDGMENT:-**

Heard.

1. The Allottee as Appellant has a grievance that for want of registration of the project his complaint was disposed off. My

attention is invited to Writ Petition No. 908 of 2018 in Mohammed Zain Khan V/s. Maharashtra Real Estate Regulatory Authority and Ors., wherein Hon'ble Division Bench of High Court of Judicature at Bombay, on 31st July, 2018 has held that MahaRERA has jurisdiction irrespective of complaints of unregistered projects and directed MahaRERA to upgrade the software for receiving online complaints in respect of unregistered projects by MahaRERA.

**-:ORDER:-**

1. In the light of above situation by consent, the matter is remanded to the Ld. Chairperson, MahaRERA, Mumbai to decide the complaint of the Allottee on its merits.
2. No costs.
3. Parties to appear before the Ld. Chairperson on 10th September, 2018.

Dictated and pronounced in open Court today.

Place: Mumbai  
Dated: 30th August, 2018



(K. U. CHANDIWAL, J.)  
President,  
Maharashtra Revenue Tribunal,  
Mumbai  
& I/c. Maharashtra Real Estate  
Appellate Tribunal, (MahaRERA),  
Mumbai