

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000012024

Darshan Mohan Tawde
Surendra Kumar Shah
Mrs. Ivona Fernandes
Kalpesh Misal
S.S.Ahire
Fehmida Iftekhar Khan
Deepali Peterpaul Fernandes
Sanjay Sarwankar
Kamal A Jadhav
Kalavati R Tambe
Kashinath D. Rao

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Complainants

Versus

Shanti Niketan, Matrix Constructions
MahaRERA Regn. No: P51800008789

Shanti Niketan Co-Operative Housing Society Ltd.

Coram
Hon'ble Shri Gautam Chatterjee, Chairperson

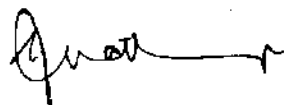
Order

26th December, 2017

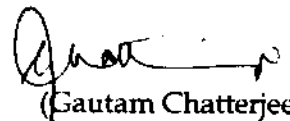
Complainant represented by Shri Surendra Shah with Adv. Prashant Nayak

Respondents were absent.

1. The Complainants in their complaint have stated that they are the members of a Co Operative Housing Society which has taken up redevelopment of their building through the Respondent, in the year 2007. The Complainants further alleged that, the building is ready, however the promoter is not handing over possession to the Complainants. There are some disputes between the Complainants and the Managing Committee members of the said Housing Society. Therefore, they have approached this Authority to direct the Respondents to hand over the possession of their redeveloped apartment, with compensation for the mental trauma and physical harassment by the Respondent.



2. During the hearing, the Complainants have accepted that they are members of the landowner Cooperative Housing Society. The Complainants claim to be rightful allottees of the redevelopment apartments. From the details put out by the Respondent promoter on MahaRERA website, the revised date of completion of the project is 1st December. The promoter, therefore, shall hand over apartments to all rightful allottees as per the timeline given on MahaRERA website.
3. On the basis of arguments by Complainants, it is evident that the dispute is between the complainants i.e. members of the Cooperative Housing Society, Managing Committee i.e. Promoter (Landowner) and the Respondent which is the Promoter. The Complainants have not been able to point out any contravention or violation of the provisions of the Real Estate (Regulation and Development) Act, 2016 or the rules or regulations made there under. The MahaRERA is not the proper forum to resolve above mentioned issues, raised by the Complainants.
4. The complaint is, therefore, dismissed.


(Gautam Chatterjee)
Chairperson, MahaRERA