## BEFORE THE

## MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY MUMBAI

COMPLAINT NO: CC006000000000179

Abhigna Enterprise

Complainant

Versus

Incline Realty Pvt Ltd

MahaRERA Regn: P51800003582

Respondent

Coram

1) Hon'ble Shri Gautam Chatterjee, Chairperson

2) Hon'ble Dr. Vijay Satbir Singh, Member 1

14th September 2017

Final Order

Complaint was pleaded by Mr. Tarun V. Shah

Respondent was represented by Adv. Abir Patel.

Complainant alleged that disclosure made by the Respondent in the "Others" section in their MahaRERA registration is misleading and with false representations. Specifically, the complainant alleged that certain plots shown in the layout as proposed adjoining land by the Respondent in the said disclosures, is privately owned by the complainant and that the Respondents have no right over it. Complainant prayed for cancellation of the registration certificate of the Respondent and for appropriate penalty to be levied for the same.

Respondent stated that no misrepresentation or any misleading material has been uploaded by them. Further, the Respondent stated that the said disclosure only states that the Respondent proposes to develop the proposed adjoining land either as a separate layout or as an integrated layout clubbed/amalgamated with the larger property and that the disclosures were made in accordance with the first proviso of the Rule 4 (4) of the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, rates of interest and disclosures on website) Rules, 2017. The Respondent

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stated that they have clearly disclosed that redevelopment of the proposed adjoining land is proposed and has not been sanctioned till date, and, therefore, the objections raised by the Complainant in that regard are a result of utter non application of mind.

After hearing both the parties, we are of the opinion that the said disclosure made by Respondent are redundant and do not pertain to the project registered with MahaRERA. The Respondents are hereby ordered to upload amended disclosure on the MahaRERA website stating the correct and factual information pertaining to the same, within a period of two days ending on 16th September 2017.

( Dr. Vijay Satbir Singh ) Hon'ble Member 1, MahaRERA

( Gautam Chatterjee ) Hon'ble Chairperson, MahaRERA