

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

**Complaint No. CC006000000057611**

M/s. S. Savla Constructions  
M/s. Kunal Builders & Developers.  
Mrs. Jayashree S. Savla

..... Complainants

***Versus***

M/s. Faithfull Developers & 10 Ors  
Project Registration No. P51900003161

..... Respondents

**Coram: Hon'ble Dr. Vijay Satbir Singh, Member – 1/MahaRERA**

None appeared for the complainants.

Adv. Nishant Sasidharan a/w Adv. Saurabh Utangale appeared  
for the respondent No. 1, 2, 9 to 11.

**ORDER**

(2<sup>nd</sup> December, 2019)

1. The complainants have filed this complaint seeking directions from MahaRERA to the respondent to handover peaceful possession of the flat Nos. 1101,1102,2202 and 4401 to the complainant No. 1 and flat No. 3802 to the complainant No. 2 along with 2 car parkings for each flat and also to execute agreement for sale with the complainant No. 3 with respect to flat No.. 4402 under the provision of Real Estate (Regulation & Development) Act, 2016 (hereinafter referred to as "RERA") under the project registered by the respondent in the name of "Victorian" bearing MahaRERA registration No. P51900003161 at Lower Parel, Mumbai.
2. This complaint was heard on several occasions and the same was heard finally on 30-10-2019, when none appeared for the complainants. However, the respondent No. 1, 2, 9 to 11 have appeared through their advocates. The MahaRERA has heard the complaint on 12/02/2019, 26/02/2019, 11/06/2019,

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23/07/2019, 26/08/2019 and finally on 30/10/2019. It is noticed that though the notices for hearing have been duly served upon the complainants, on last two occasions i.e. on 26-08-2019 and 30-10-2019, the complainants failed and neglected to appear for the said hearings. Hence, the MahaRERA has perused the record.

3. The respondents, on the other hand, appeared and informed MahaRERA that they have filed criminal complaint against the complainants before the Economics Offence Wing pertaining to the subject flats and the said office seized of the matter and has informed not to deal with the flats claimed by the complainants.
4. Considering the facts brought to the notice of MahaRERA by the respondent, the MahaRERA is of the view that the claim of the complainants with respect to the flats as mentioned hereinabove, the matter is subjudice before the EOW, and hence it would be appropriate to wait till final disposal of the said proceedings to avoid any conflicting orders. Moreover, on last two occasions the complainants remained absent though the notices for hearing were duly served upon them. It shows that the complainants are not willing to pursue this complaint.
5. In view of the aforesaid facts, the complaint stands dismissed.



(Dr. Vijay Satbir Singh)  
**Member – 1/MahaRERA**