

5. I have verified the fact that the respondents have registered building nos. 2 to 12 in their Sidhicity project but the building no.1 is not registered. It has been submitted by the complainants that the respondents do not have the sanctions/commencement certificate and therefore, the respondents have not registered building no. 1.
6. For registration of the project the commencement certificate is required.
7. In view of the aforesaid facts, I find it necessary to direct the respondents to register their project within two months by taking the necessary permissions. If the project is not registered for one reason or the other, then the complainants will not be able to seek the refund of their amount under RERA. In that circumstance the complainants may approach the proper forum. With this observation, the following order.

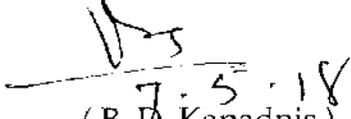
ORDER

The respondents shall register building no. 1 of their Gopal Land, Phase-IV, Siddhicity Project situated in Badlapur (East), District Thane within the period of two months by obtaining necessary sanctions/commencement certificate.

2. If the respondents fail to register the project as directed or they want to abandon the said building, the Authority shall inform the local authority to take necessary action against them according to law in respect of illegal construction of building no.1.
3. On registration of building no. 1. the complainants are at liberty to file the complaint according to the provisions of RERA.
4. The respondents to pay the complainants Rs. 10,000/- towards the cost of the complaint.

Mumbai.

Date: 07.05.2018.


(B. D. Kapadnis)
Member & Adjudicating Officer,
MahaRERA, Mumbai.

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

COMPLAINT NO: CC006000000001116

Varsha D. Pariani
Dinesh D. Pariani
Versus

---Complainants.

Hemant Agarwal.
(Siddhi city)

---Respondent.

Coram: Shri B.D. Kapadnis,
Hon'ble Member & Adjudicating Officer.

ORDER ON THE RECOVERY APPLICATION FILED IN COMPLAINT.

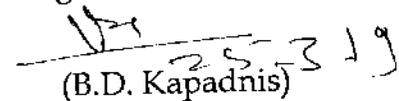
The complainants report non-compliance of the order passed in the matter.

The respondent has not registered building No. 1 of his Gopal land phase IV Siddhicity Project situated at Badlapur (East) District Thane. He has not registered it from 07.05.2018 till today because he has not obtained commencement certificate. However, he has made construction of Building No 1 to some extent. It is ordered that in case of his failure to register Building No. 1 within two months (from the Order) by obtaining necessary sanctions / commencement certificate, the Authority shall inform the Local Authority to take necessary action against him according to law in respect of illegal construction of Building No. 1.

The respondent took time to settle the dispute but did nothing.

It is reported by the office that the building no. 1 has not been registered till the date. Therefore, there is no other option but to inform the Local Authority to demolish the unauthorised construction of Building No. 1 and to take necessary action according to law against the respondent.

Mumbai.
Date:25.03.2019.


(B.D. Kapadnis)
Member & Adjudicating Officer,
MahaRERA, Mumbai.