

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

1. COMPLAINT NO: CC006000000078330  
Pranay Kant Gour
2. COMPLAINT NO: CC006000000078331  
Manish Kumar Jain
3. COMPLAINT NO: CC006000000078332  
Vinay Kumar Jain
4. COMPLAINT NO: CC006000000078333  
Aaradhyaa Gour

... Complainants

Versus

Shree Bajali Builders and Developers  
MahaRERA Regn. No. P51700013660

... Respondent

**Corum:** Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainants were represented by Mr. Avinash Pawar, Adv.  
Respondent was represented by Mr. Baban Mahajan Laxman, Authorised Signatory.

**Order**

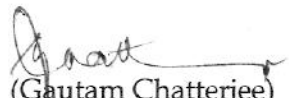
May 22, 2019

1. The Complainants have stated that they had booked apartments in the Respondent's project "SHREE BALAJIS SRUSHTEE" situated at Kalyan, Thane via allotment letters. Further, they stated that in 2016, on the request of the Complainants, the Respondent agreed to refund the amounts paid by them, however, he is yet to do the same. Therefore, they prayed that the Respondent be directed to refund the amount paid along with interest and compensation.
2. The authorised representative of the Respondent explained that the construction work of the project could not be completed because of reasons which were beyond the



Respondent's control. Specifically, he submitted that the Respondent is a partnership firm and that there have been some issues between the partners. Further, he submitted that the Respondent is yet to obtain the required approvals from the concerned planning authority.

3. The letter of allotments was terminated by the Complainants, much before the said Act coming into force and that at the time of filing the present complaints, no cause of action survived on the day of the Act coming into force. Therefore, the Complainants have ceased to be allottees in the project registered with MahaRERA.
4. In view of the above, the Complaints cannot be adjudicated since the cause of action did not exist when the said Act come into force. Merits of the complaints have not been gone into and the Complainants have the liberty to approach any appropriate forum for redressal of their grievances.
5. Consequently, the matters are hereby disposed of for want of jurisdiction.

  
(Gautam Chatterjee)  
Chairperson, MahaRERA