

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NOS: CC006000000012084

Kirit C Gandhi ... Complainant

Versus

Sunstone Developers Joint Venture
MahaRERA Regn. No: P51800000183 ... Respondent

Coram
Hon'ble Shri Gautam Chatterjee, Chairperson

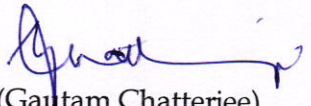
Order

February 2, 2018

Complainant represented by Adv. Shantanu Singh

Respondents represented by Adv. Sachin Karia

1. The Complainant had, vide an agreement for sale, purchased an apartment bearing no 204 -A, on the 2nd Floor of the Respondent's building 'Hubtown Sunstone A wing' located at Andheri, Mumbai. The Complainant has prayed that the Respondent be directed to perform its obligation under the said agreement for sale, as he is liable to handover the possession of the apartment in a complete and habitable condition.
2. The Advocate for the Respondent stated that the project phase that is registered with MahaRERA is for floors 14 to 21, as he had already obtained part occupancy certificate (OC), from the Competent Planning Authority, up to the 13th floor. Therefore, they argued that the present complaint is not maintainable, as the Complainant, being an owner of an apartment in the 2nd Floor, is not an allottee in the project MahaRERA Regn. No: P51800000183 and the building up to the 13th Floor has already been completed and has obtained part OC from the Competent Authority.
3. The complainant clearly is not an allottee with respect to the project against which he has filed his complaint; therefore his complaint is not maintainable.
4. The complaint is, therefore, dismissed.


(Gautam Chatterjee)
Chairperson, MahaRERA