

**MAHARASHTRA REAL ESTATE APPELLATE
TRIBUNAL UNDER RERA Act**

No.AT005000000000203

1. Mr. Mohan Lonchand Nahar
2. Mr. Nikhil Mohan Nahar
House No. 604, Aspire Tower,
Magarapatta Road, Hadapsar,
Pune 411 028

... Appellant/s

V/s.

M/s. Lavasa Corporation Limited,
Hincon House, 11th Floor,
247 Park, LBS Marg,
Vikhroli (West), Mumbai 400 083.

..Respondent/s

Adv. Vishal Kale for Appellant.

None appeared for Respondents

CORAM :Hon'ble Shri K. U. CHANDIWAL, J.
Heard on : 30th August , 2018
Dictated/Pronounced on:30th August, 2018
Transcribed on : 31st August, 2018

:-ORAL JUDGMENT:-

Heard.

1. This is Allottee's appeal, challenging the order of Ld. Adjudicating Officer dated 29 January, 2018, holding that MahaRERA has no jurisdiction.




2. The point concerning long lease is already decided in Appeal No. 005000000000008 between Jitendra Tulsiani v/s. M/s. Lavasa Limited on 15th March, 2018, by this Tribunal.
3. Feeling aggrieved by the said order, Second Appeal Stamp No. 9717 of 2018 was preferred by Lavasa in the Hon. High Court of Judicature at Bombay and by order dated 7th August, 2018 it is held that MahaRERA and the Adjudicating Officer has jurisdiction to entertain the controversies in respect of the long lease and in particular relating to Respondent Lavasa.
4. In the above situation, matter warrants remand to be decided on merits by the Ld. Adjudicating Officer, MahaRERA, Pune.

:-ORDER:-

1. The Order dated 29th January, 2018 of Ld. Adjudicating Officer, MahaRERA, Mumbai is set aside.
2. Matter is remanded to the Ld. Adjudicating Officer, Pune.
3. No costs.

Dictated and pronounced in open Court today.

Place: Mumbai
Dated: 30th August, 2018


(K. U. CHANDIWAL, J.)
President,
Maharashtra Revenue Tribunal,
Mumbai
& I/c. Maharashtra Real Estate
Appellate Tribunal, (MahaRERA),
Mumbai