

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000000293

Sunderlal Aklinglal Jain

... Complainant

Versus

Payal Shah
MahaRERA Regn:
P51800008400

... Respondent

Coram

Hon'ble Shri Gautam Chatterjee, Chairperson

10th November 2017

Order

Complaint was pleaded by Shri Ramesh Prabhu.

Respondent pleaded herself.

Complainant, one of the partners of Bhagyalaxmi Builders, in his complaint has stated that the development rights of the project "Kamgar Panch Ganga SRA Phase 1 CHS" (proposed), registered with MahaRERA, were sold and transferred to them by Mr. Yogendra P. Doshi, proprietor of Neptune Builders and Developers (promoters of the project). Further, consequent to certain internal disputes between Bhagyalaxmi Builders and Neptune Builders and Developers, an arbitration award was passed against the said project. The complainant has alleged that the respondent has failed to add Bhagyalaxmi Builders' name as a co-promoter in their MahaRERA registration, not disclosed the facts about pending litigation and that the number of apartments disclosed are not as per the sanctioned plan.




The respondent, present proprietor of the promoter organization, explained that after the death of her father Mr. Yogendra P. Doshi, she has taken over the said project as his legal heir. Further, she explained that agreement with Bhagyalaxmi Builders was for the purposes of revenue generation and that as per the said arbitration order Bhagyalaxmi Builders is no longer connected with the said project. Further, the respondent explained that the change in the number of tenements is due to an internal arrangement with the society and that they have applied to the concerned authority for the required sanctions.

On review of the respondent's MahaRERA registration it was observed that the sanctions and approvals for the said project have been issued in the name of Neptune Builders and Developers, however the registration with MahaRERA has been done by the respondent. Further, no document has been uploaded to establish the relation between the respondent and Neptune Builders and Developers.

In view of the aforesaid facts, the respondent is directed to upload the following disclosures in their MahaRERA registration within 2 days from the date of this order:

- a) relationship between Ms. Payal Shah i.e. the respondent and Neptune Builders
- b) arbitration order pertaining to the dispute between Neptune builders and Bhagyalaxmi Builders
- c) change in the number of tenements as per the sanctioned plan and proposed plan
- d) any other litigation details

Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA