

BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY,
BANDRA, MUMBAI

COMPLAINT NO: CC005000000000049

Sushil Agarwal .. Complainant

Versus

Yashdhan Associates through its partner Rahul Navandar and Ors

..... Respondents

MahaRERA Registration No - P52100002029

Coram:

- 1) Hon'ble Shri Gautam Chatterjee, Chairperson
- 2) Hon'ble Dr. Vijay Satbir Singh, Member 1

Date- 19th September 2017

Order

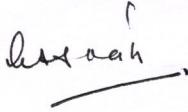
- 1) The present complaint has been filed for alleged violation of Section 4 of RERA Act,2016 by the respondent while registering the Real Estate Project known as "Dwarika Nagari" at Pune bearing registration No. P52100002029. The complainant is claiming to be owner /co-promoter of the land under the said project. He alleged that he has sold project land to respondent, but till date he has not received full consideration and thereby the respondent had cheated him. He further alleged that the respondent had borrowed finance from HDFC Bank under Mortgage deed dated 24.04.2017, bearing registration no. 2236 of 2017 and had suppressed the material facts about encumbrances, while registering the said project with MahaRERA. The complainant therefore prayed MahaRERA to direct the respondent to clear



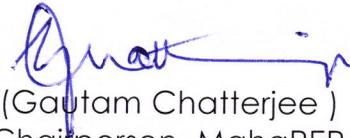


his dues/ amount with bank interest, compensation and damages and penalize the respondent under section 60 and 61 of the RERA Act, 2016.

- 2) The matter was heard on 19-09-2017, when the complainant and the respondent appeared in person. During hearing it was brought to the notice of the MahaRERA that the complainant had sold the land under the project to respondent and the name of the respondent is appearing in the record of rights i.e Property Register Card, which has presumptive value as per the provisions of Maharashtra Land Revenue Code.
- 3) Considering the aforesaid facts, we are of the view that MahaRERA is constituted to hear the grievances of the affected parties of the project. Since the complainant is neither the owner nor the allottee of the project registered with MahaRERA, he has no locus standi to file complaint before the MahaRERA. Hence we do not find any merits in the complaint.
- 4) In view of these facts, the complaint stands dismissed for want of locus standi of the complainant.



(Dr. Vijay Satbir Singh)
Member-1, MahaRERA



(Gautam Chatterjee)
Chairperson, MahaRERA