

**BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY,
MUMBAI**

1. Complaint No. CC006000000089778

Mr. Mukesh Kothari

..... Complainant

Versus

M/S. Aditya Developers

..... Respondent

Project Registration No. **P51800007177**

Along with

2. Complaint No. CC006000000089823

Mr. Deepak Damle

..... Complainant

Versus

M/S. Aditya Developers

..... Respondent

Project Registration No. **P51800007177**

Along with

3. Complaint No. CC006000000089865

Mr. Dhanesh Desai

..... Complainant

Versus

M/S. Aditya Developers

..... Respondent

Project Registration No. **P51800007177**

Along with

4. Complaint No. CC006000000090145

Mr. Suketu Nandaniya

..... Complainant

Versus

M/S. Aditya Developers

..... Respondent

Project Registration No. **P51800007177**

Coram: Hon'ble Dr. Vijay Satbir Singh, Member – 1/MahaRERA

Adv. Chitrangadha Singh appeared for the complainant.

None appeared for the respondent.

ORDER

(13th November, 2019)

1. Above complaints have been filed by the allottees in the project registered with MahaRERA bearing No. **P51800007177** known as "**Anamika Niwas CHS**" at Magathane, Borivli (East), Mumbai, under Section-18 of the Maharashtra Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to

as "RERA"). They are seeking directions from the MahaRERA to the respondent to handover possession of their respective flats with occupancy certificate and also to pay interest for the delayed period of possession in respect of booking of their flats in the said project of the respondent.

2. These complaints have been filed with respect to the same project and hence the same were clubbed together and finally heard today. During the hearings, it is noticed by the MahaRERA that the society viz. Borivali Anamika CHS Ltd. has terminated the development agreement executed with the respondent promoter in the month of March, 2019 and has also filed complaint bearing No.CC0060000000100508 before MahaRERA seeking revocation of MahaRERA registration No. P51800007177 issued in favour of the respondent promoter.
3. In the light of these facts, the MahaRERA is of the view that since the owner society had filed complaint under section-7 of the RERA, the claim of the complainants allottees under section-18 of the RERA in respect of this project against the respondent promoter cannot be decided at this stage. However, the complainants would be at liberty to approach MahaRERA after final decision on the project has been taken by MahaRERA on merits.
4. With the above observations, all these complaints stand disposed of.



(Dr. Vijay Satbir Singh)
Member – 1/MahaRERA