

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI
COMPLAINT NO: CC006000000012042

Vinayak Khatate ... Complainants
Rajiv Menon
Tushar Lokhande
Dharmendra Pandit
Dnyaneshwar Mapari

Vs

Sumit Jain ... Respondent
MahaRERA Reg. No: P99000013226

Coram

Shri Gautam Chatterjee, Hon'ble Chairperson

Complainants represented themselves.

Respondent represented himself along with Mr.D.K.Singh, Adv.

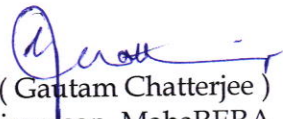
Order

26th March 2018

1. The Complainants have purchased apartments in the project 'Poolam Palash' situated at Nallasopara (West), District Palghar which is registered with MahaRERA under Registration No. P99000013226, via registered agreements for sale in 2012. Accordingly, the Complainants have also taken possession of their purchased apartments in 2014. But the building did not have Occupation Certificate. Till date, the Respondent has neither completed the facilities and amenities of the project, nor formed the Cooperative society. The Occupation Certificate has also not been received as yet. Therefore, they approached this Authority to direct the Respondent to provide amenities, Occupation Certificate (OC) and direct him to form the Housing Society.



2. The matter was heard on 14th February, 19th March and 23rd March 2018. The Respondent Promoter who was asked to be personally present on 23rd March, 2018, attended the hearing and stated that all the Complainants have already taken possession in the year 2014 itself. He further stated that the above said project is complete in all respect with all amenities as per the Plan, except some landscaping (tree plantation) and receipt of OC for which he has applied to the Planning Authority. He further stated that, the Complainants have made illegal structural changes in their apartments and removed the planted trees in the Project, due to which the Planning Authority is refusing to issue OC. He added that, he has already initiated the process of formation of Housing Society of the said Project.
3. In view of the above facts, we advise both the parties to jointly list out the unauthorised alterations made in the apartments which is hampering the issuance of OC and take steps towards receiving Occupation Certificate from the Competent Authority.
4. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA