

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC00600000023172

Shubhangi Shashikant Mirkar

...

Complainant

Versus

Rashmi Realty Builders Pvt Ltd
MahaRERA Regn: P99000009093

...

Respondent

Coram
Hon'ble Shri Gautam Chatterjee, Chairperson

Order

28th February 2018

Complainant represented herself.

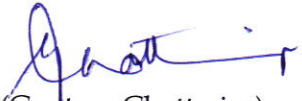
Respondent represented by Mr. R.M.Kadam, Representative

1. The Complainant has booked an apartment bearing No. 1117 in Building No. F-2 of the Respondent's Project titled 'Rashmi' Star City - Phase IV' located at Naigaon, Thane through a Memorandum of Understanding (MOU) dated 31st May 2012.
2. Complainant alleged that, she paid significant amount to the Respondent, however, the Respondent neither executed the registered agreement nor handed over the possession of the said apartment, till date. The date of possession was committed to be December 2015. Therefore, Complainant approached this Authority for cancellation of her booking and to direct the Respondent to refund the entire money she has paid with interest.
3. During the hearing, the Respondent stated that due to lack of environmental clearance, they do not have approval of the Competent Planning Authority for the project for which the Complainant has signed MOU. Therefore, the said could not be registered



with MahaRERA. However, they had already informed the Complainant about their readiness to refund the cancellation amount or shift the Complainant in another Project, which is nearing completion. The Respondent further argued that the complaint is not maintainable as it is against a non-registered project.

4. It is evident that the Complainant has filed this complaint against an unregistered Project, and therefore, it is not maintainable.
5. The complaint is, therefore, dismissed.


(Gautam Chatterjee)
Chairperson, MahaRERA