

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

COMPLAINT No: CC006000000023863

Mrs. Vaibhavi Parab

..... Complainant

Versus

M/s. Mahalaxmi Realtors
Mr. Ramdas Gavas & Anr.

MahaRERA Registration No. P52900009862

..... Respondent

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

The complainant appeared in person.

Mr. Ramdas Gavas appeared for the respondent in person.

Order

(16th August, 2018)

1. The complainant has filed this complaint seeking directions from MahaRERA to direct the respondents to re-constitute the partnership firm so that firm has clear and marketable title over the complete project. After re-constitution all necessary changes along with proper documentation are required to be done and uploaded to MAHARERA website in respect of MahaRERA registration No. P52900009862 known as "Mahalaxmi Agrad" at Sawantwadi, Dist Sindhudurg. The complainant further prayed to take action against the respondents if they found guilty.
2. The complainant has argued that the respondents while registering the said project with MahaRERA have submitted false and incomplete information on MahaRERA website such as declaration form B. All mandatory certificates are not uploaded and the name of late Mr. Vasant Gangaram Pandit, who has already expired on 9-3-2016, has also shown as

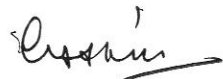


partner of their firm, without re-constitution of the partnership firm. It is totally false information and the allottees have been cheated by them. The complainant therefore requested to grant reliefs as sought by her.

3. The respondents on the other hand disputed the claim of the complainant and argued that the father of the complainant was also one of the partners in the respondent's Firm viz., Mahalaxmi Realtors. After his death the respondents have requested the family members of the said deceased partner to give details for re-constitution of the partnership firm. However, the necessary details were not provided by the complainant to the respondents and therefore, he mentioned the name of his deceased father as partner on MahaRERA website. He further argued that the daughter in law of the late Mr. Vasant G. Pandit has also sent him legal notice claiming share in the said partnership firm. The respondents therefore agreed that he is ready to incorporate the name of a member as partner, in lieu of the deceased, as per the recommendations of the family members.
4. This Authority has examined the arguments of both the parties as well as the available record. Prima facie, it appears that the present complaint is filed for violation of section 4 of the RERA Act, 2016 by the respondents. The complainant has alleged that the respondents have uploaded false information on the website of MahaRERA and all mandatory certificates are not uploaded. However, this Authority feels that the mandatory certificates are not visible in public domain and therefore there is no substance in the said contention of the complainant.
5. In respect of uploading of false information on MahaRERA website, it seems that there is a civil dispute going on between the parties and the said matter will take its own time. However, the provision of section 4 of

the RERA Act, 2016 provides that the promoter should disclose all correct information on website. Therefore, since one of the partners of the respondents' firm ~~has already~~ expired and his legal heirs are yet to be brought on record of the said partnership by re-constituting the said firm, the MahaRERA directs the respondents to give declaration to that effect on MahaRERA website.

6. With these directions, the complainant stands disposed of.



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