

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

COMPLAINT No: CC006000000044513

Mr. Sopan Pandharinath Bhambere

..... Complainant

Versus

M/s. Nirmal Lifestyle (Kalyan) Private Limited

MahaRERA Registration No. P51700003616

..... Respondent

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

Adv. Shashikant Kadam appeared for the complainant.

Mr. Rohit Chavan a/w. Mrs Vaishali Mohite appeared for the respondent.

Order

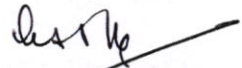
(14th June , 2018)

1. The complainant has filed this complaint seeking directions from this Authority to the respondent to refund the booking amount paid by her to the respondent towards the booking of a flat bearing No.1408 in the project known as "Thames", bearing MahaRERA registration P51700003616 at Shahad, Taluka Kalyan, Dist. Thane.
2. The complainant ^{has} stated that he had booked the said flat on 19th October 2013 and paid an amount towards the booking of the same. The respondent delayed the project for 3 years and he had cancelled the said booking on 14th December 2016. However till date he has not received the refund from the respondent. Hence the present complaint has been filed.
3. This matter was finally heard today. During the hearing, the respondent disputed the claim of the complainant on the ground of the locus standi of

Issued

the complainant. He further stated that there is no agreement for sale executed between the complainant and the respondent and therefore there is contravention of any provision of the RERA Act, 2016 by the respondent. However, without prejudice to his rights and contentions, the respondent stated that he is ready and willing to refund the outstanding principle amount received from the complainant within a period of 6 months from the date of order passed by this Authority.

4. Accordingly, the respondent has submitted a written undertaking and the same has been accepted by the complainant. The said undertaking is taken on record.
5. In the light of these facts, the complaint stands disposed of.



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