

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

**COMPLAINT NO: SC10000289**

Mr. Sunil Rangnath Jape

..... Complainant

Versus

Mr. Kashif Ahmed Shaikh & Ors.

..... Respondent

Project known as "Royal 2 Apartment, Chikhli Road, Buldana (Rural), 443001.

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

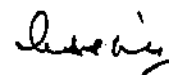
Complainant in person

Adv. Hassan Khan representative of the respondent.

**Order**

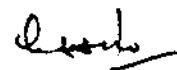
(5 th October, 2018)

1. The complainant has filed this complaint seeking interest for the delayed possession from the respondent in the unregistered project at Royal 2 Apartment at Chikhli Road, Buldana (Rural), 443001.
2. This matter was heard today. During the hearing the complainant has made grievances that the Respondent has taken a booking in the Project Royal 2 Apartment at Buldhana however till date he has not handed over the possession to the Complainant.
3. Before going to into the merits of the case the MahaRERA has to decide whether the project under reference is required to be registered or not.
4. During hearing the matter Advocate Hassan Khan argued that after commencement of RERA Act, 2016 the respondent had applied on 31/10/2017 for registration of the said project. However, then he has received reply from the MahaRERA whereby Email dated 31/10/2017 stating that the Gram panchayat is not Competent Authority pursuant to this reply



Respondent has withdrawn the Registration application. However, he has shown his willingness to register project online.

5. The MahaRERA feels that in present case the Gram Panchayat of Malvihir, District Buldhana has issued the Commencement Certificate in respect of the said project under reference on 15/04/2015. The respondent had applied for registration on 31/10/2017. However, his application was not considered in view of the G. R. issued by state of Maharashtra, Gram Panchayat Department dated 11 Dec, 2015 whereby the Jurisdiction of Gram Panchayat areas were transferred to concerned Town Planning Department as per the provisions of MRT & P Act, 1966.
6. In the present case the Gram Panchayat permission is prior to Government G. R. dated 11/12/2015 issued by State Government of Maharashtra & now the same is transferred to Town Planning Department. The project under reference is required to be registered with MahaRERA.
7. In view of this fact the MahaRERA directs the Respondent to register this project with MahaRERA within a period of 15 days along with penalty as prevailing in the month of 31/10/2017 for the unregistered project. The respondent is directed to get all permissions revised from the new Competent Authority within a period of 3 months.
8. On registration of this project with MahRERA the Complainant would be at liberty to file online Complaint and agitate the grievances before the MahaRERA.
9. With the above directions the complaint is disposed of.



(Dr. Vijay Satbir Singh)  
**Member-I, MahaRERA**