

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC00600000023723

New Purshottam Nagar Housing Co-op Society Limited ... Complainant

Versus

Shraddha Shelters Pvt. Ltd.
MahaRERA Regn. No. P51800001494 ... Respondent

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

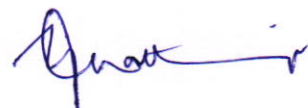
Complainant was represented by advocates of M/s. Pandya & Co.

Respondent was represented by Mr. Abir Patel, Adv. (i/b. Wadia Ghandy & Co.)

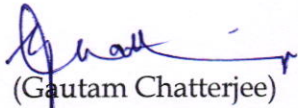
Order

May 30, 2018

1. The advocate for the Complainant, during the hearing, has submitted that the Complainant is vested with ownership rights to the larger property on which the Respondent is developing the project 'Tirumala Residences' and that the Complainant is entitled to Conveyance of the said property. Further, he has alleged that the Respondent does not have the authority to register the said project with MahaRERA and that the Respondent has made false, misleading misrepresentations and indulged in wilful suppression in the required declarations and disclosures to be made in their registration. Therefore, he prayed the respondent's MahaRERA registration may be revoked.
2. The advocate for the Complainant specifically argued that the legal title report uploaded by the Complainant does not bring out the complete ownership details and also misrepresents facts pertaining to the larger property and that certain pending litigations have also not been disclosed by the Respondent in their MahaRERA registration.



3. The advocate for the Respondent argued that since the said project is being developed on a part of a larger layout and that the Complainant, as occupiers of another part of the layout, does not have locus standi in the said project. Further, he submitted that dispute pertaining to ownership rights and other related matters have been taken by the Complainant to various fora and therefore, the matter is sub-judice. He also submitted that all pending litigation pertaining to the said project have been disclosed by the Respondent in their MahaRERA registration. He further clarified that the legal title report is complete in all respect and has not concealed or misrepresented any fact.
4. In view of the above facts, since the dispute pertaining to the ownership rights and other related matters is pending before various fora, the same cannot be adjudicated by this Authority. Further, since the Respondent has made adequate disclosures pertaining to the same in their MahaRERA registration, revocation of the Respondent's MahaRERA registration is not required at this stage.
5. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA