

**BEFORE THE MAHARASHTRA REAL ESTATE  
APPELLATE TRIBUNAL, MUMBAI**

**Appeal No. AT005000000031726**

**In**

**Complaint No. CC005000000022669**

- 1. Ms. Chhaya Vilas Madhekar**
- 2. Mr. Vilas Raghunath Madhekar**

Both are having address at  
B 2020, Rajshree CHS Ltd.  
Tarun Bharat, Chakala  
Sahar Road Andheri East  
Mumbai- 400099.

... Appellants

Versus

**D. S. Kulkarni**

House No./Flat No. 1187/60  
DSK House, J.M. Road,  
Shivaji Nagar, Pune-411005

... Respondent

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*Mr. Vilas Madhekar in person for Appellants.*

*None for Respondent.*

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**CORAM : SUMANT M. KOLHE, MEMBER (J)  
S. S. SANDHU, MEMBER (A)**

**DATE : 1<sup>ST</sup> DECEMBER, 2020.**

**OPERATIVE ORDER**

- i) Appeal No. AT005000000031726 is allowed.
- ii) Order dated 14<sup>th</sup> July, 2019 passed by MahaRERA in Complaint No. CC006000000022669 is set-aside.

*MS*

iii) Complaint No. CC005000000022669 is allowed as under:

- a) Respondent shall refund the amount of Rs. 15,64,596 along with interest @ State Bank of India's highest Marginal Cost of Lending Rate Plus 2% to Allottees.
- b) Charge of the above amount shall remain on the booked flat till realisation of the amount.
- c) Respondent shall pay costs of Rs. 5,000/- to Appellants and shall bear their own costs.
- d) Copy be sent to both the sides and MahaRERA, as per Section 44(4) of RERA.

MS

  
(S.S. SANDHU)

SJD/-

  
(SUMANT KOLHE)