

BEFORE THE MAHARASHTRA REAL ESTATE  
APPELLATE TRIBUNAL, MUMBAI

Appeal No. AT006000000010871

M/s Siddhivinayak Developers  
A partnership firm formed and  
Registered under the provisions of  
Indian Partnership Act, 1932  
having its registered office at  
Survey No.22, Opp.Patidar Bhavan,  
Shahad Mohone Road,  
Shahad (W), Tal. Kalyan,  
Dist. Thane-421 103  
Through its Partner  
Shri Anil Girdharilal Chabria ... Appellant

Versus

Mr. Deepak T. Tejwani  
Age 38 yrs., Occ: Service,  
having address at 201, Murli  
Manohar Palace, Behind Kalani  
Chowk, Near Venus Chowk,  
Ulhasnagar-4  
Tal. Ulhasnagar, Dist. Thane. ... Respondent

(Mr. Hemant D. Patil, Advocate for Appellant  
Respondent in person a/w Mrs. Asha Thakur, Advocate)

**CORAM : SUMANT M. KOLHE,  
MEMBER (J)  
DATE : 19<sup>TH</sup> SEPTEMBER, 2019**

**OPERATIVE ORDER**

- 1) Appeal No. AT006000000010871 is partly allowed.
- 2) Impugned order dated 27.9.2018 passed in complaint No. CC0060000000001644 by Member & Adjudicating Officer, MahaRERA is modified only to the extent of excluding cash payment entry of Rs.3,50,000/- dated 2.4.2015 from form at Exhibit A attached with impugned order.
- 3) Rest of the amounts shown in form at Exhibit A shall be refunded by promoter to allottee as per the impugned order.
- 4) In peculiar circumstances, parties to bear their respective cost.
- 5) Copy of judgement be sent to the parties and MahaRERA as per Sec.44 Sub Sec. 4 of the RERA 2016.

Date: 19.09.2019

*W Kolhe 19-09-19.*  
**(SUMANT KOLHE)  
MEMBER(J)**