

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

COMPLAINT No: SC10000216

Neeta V. Kamble Complainant

Versus

Nirmal Lifestyle, Mr. Dharmesh JainRespondent.

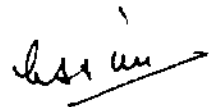
Coram: Hon'ble Dr. Vijay Satbir Singh, Member 1

Heard the complainant in person
Mr. Rohit Chavan appeared for respondent.

Order


(25th October, 2018)

1. The complainant has filed this complaint for non-registration of the project known as 'Spirit 1' by the respondent. The matter was heard today. During the hearing the respondent filed written submissions on record of MahaRERA. Same is taken on record.
2. The respondent has argued that the project under reference is Could not be registered and hence the same not registered with MahaRERA. The project was launched by anticipating the FSI permissible as per the proposed D.P. published in the month of March, 2015. However, subsequently the D.P. was scrapped in the month of April, 2015 and hence he could obtain any permissions from the Competent Authority. Therefore, in the month of July, 2017 the respondent gave the allottees an option to another project or to withdraw from the project.
3. The respondent further argued that since the complainant is seeking refund without prejudice, he is ready and willing to refund the said amount along



with interest. The respondent showed his willingness to file an undertaking on record of MahaRERA.

4. Considering the submission made by both the parties, the MahaRERA feels that the required permissions have not been obtained by the respondent as on date. Hence the said project is not registerable with MahaRERA. Accordingly, the complaint stands disposed of.



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