

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000001704

Rajesh G. Gurjar ... Complainants
Mrs. Manali Rajesh Gurjar

Versus

Modella Textile Industries Pvt. Ltd. ... Respondent
MahaRERA Reg. No: P51700005281

Coram

Shri Gautam Chatterjee, Hon'ble Chairperson

Order

11th December 2017

Complainant himself pleaded the complaint.

Respondent was pleaded by Shri Rohit Chavan and Shri Deepan Dixit, Adv.

1. The Complainant had booked an apartment, in the building 'Nirmal Sports City' in the Respondent's above mentioned project in December 2012 for which the complainant had a paid significant amount. There was no registered agreement of sale between the complainant and the respondent. The Complainant thereafter cancelled his booking on medical ground on 15th May 2016. The complainant has now approached this Authority to direct the respondent to refund the booking amount with interest.
2. During the hearing, the respondent stated that vide cancellation letter dated 15th May 2016 the complainant has cancelled his apartment and accordingly the respondent has refunded the total amount to the complainant, on mutually agreed terms and conditions that the Complainant shall not raise any claim / damages of any nature including interest on delay in refund of the amount in the future. Therefore, the Respondent stated that complainant is no longer an allottee and he has already accepted the refund of his money. Therefore, the complaint may be dismissed.
3. On the facts mentioned above, clearly the complainant is no longer an allottee. Hence, the matter is hereby dismissed.


(Gautam Chatterjee)
Chairperson, MahaRERA