

**THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI.**

COMPLAINT NO: CC006000000056936.

Mahesh Prakash Chandani

... Complainant.

**Versus**

Bellissimo Developers Thane Pvt. Ltd.  
(Lodha Developers Pvt. Ltd.)  
(LODHA AMARA - TOWER 26, 27, 28, 30, 34, 35)

... Respondents.

MahaRERA Regn: P51700001031

**Coram:** Shri B.D. Kapadnis,  
Hon'ble Member & Adjudicating Officer.

**Appearance:**

Complainants: Adv. Vikram Jakhadi.

Respondents: Adv. Akansha Ughade.

**FINAL ORDER**

29<sup>th</sup> January 2019.

The complainant contends that he paid Rs. 1,08,000/- against the booking of Unit No. 2504 but he cancelled it on the promise of the respondents that the said amount shall be adjusted against booking of their another Unit No. 2604. However, now they deny to adjust the amount, therefore, the complainant seeks refund of his amount. There is no proof with the complainant to prove that the respondents promised to adjust the amount against the booking of the new flat. Hence, no prima facie case is made out to show contravention or violation of any of the provisions of the RERA Act. Hence, complaint needs to be dismissed.

2. The complainant's advocate wants liberty to file another case under Section 12 by pleading the material facts. Hence, the order.



**ORDER**

The complaint is dismissed.

The complainant is at liberty to file another complaint by pleading material facts.

Mumbai.

Date: 29.01.2019.

  
29.1.19

( B. D. Kapadnis )  
Member & Adjudicating Officer,  
MahaRERA, Mumbai.