

Sequeira

*IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION*

WRIT PETITION (Lodging) NO. 908 OF 2018

Mohammed Zain Khan.

... Petitioner.

V/s.

Maharashtra Real Estate Regulatory
Authority and others

... Respondents.

Mr.Nilesh Gala a/w Mr.Mohammed Zain Khan and Avadhut
Bidaye i/b Law Square, for the Petitioner.

Mr.Ashutosh M.Kulkarni, for Respondent No.1.

Mr.C.M.Vachasunder, Legal Advisor MAHARERA present in Court.

Mr.V.G.Wani, Technical & Administrative office MAHARERA
present in Court.

Mr.Suhas Mamdapurkar, Section Officer, Nsg. Dept. present in
Court.

Mr.Himanshu B.Takke, AGP for State, Respondent No.2.

Mr.Chetan G.Patil a/w Mr.Bhooshan R.Mandlik, for Respondent
Nos.4 to 8.

***CORAM : R.M. Borde and
V.M. Deshpande, JJ.***

DATE : 31 July, 2018.

P.C. :-

This petition can be disposed of by consent of the parties.

2. The Petitioner is making a grievance in respect of the failure of the MahaRERA Appellate Authority to take cognizance of the complaints tendered by the complainants in respect of the unregistered project. The counsel appearing for the Respondent No.1 on instructions states that at present the on-line software system is not equipped to entertain the complaints in respect of the projects which are not registered under the RERA Act. It is further stated that necessary modifications / up-gradation of the software will be made within period of 15 days from today. On completion of the process of up-gradation of the software equipped of receiving on-line complaints, in respect of unregistered projects by the MahaRERA within the time stipulated as above, it would be open for the Petitioner to register the complaint in observance of the procedure prescribed in that behalf. The complaint tendered on-line by the Petitioner and other similarly situated complainants, in respect of unregistered projects would be entertained and the same would be dealt with in accordance with the procedure that is being adopted by MahaRERA in respect of disposal of complaints in relation to registered projects. The statement is made by the learned counsel appearing for Respondent No.1 on instructions from

Mr.Wani, Administrative officer of MahaRERA who is present before the Court. In view of the statement made as above, the grievance raised in the Petition stands redressed.

3. The Writ Petition is accordingly disposed of.

(V.M. Deshpande, J.)

(R. M. Borde, J.)