

56 8 2018
Surjit Kaur

V/s.

M/s Sky Rock City Welfare Society

RERA REGISTRATION No.: Not registered Dated: 09.05.2018

**Present : Complainant in person
None for the Respondent.**

Notice of appearance sent to respondent has been received back with remarks 'addressee left'. Complainant was asked to provide correct address of respondent. Complainant informed that respondent is in jail and there is no representative of the company at the site office. Status of project has been checked from the office record, which reveals that project is neither registered with the Authority nor under process of registration.

This Authority has held in case Bikramjit Singh and others in Complaint No.3 of 2017 decided on 13.12.2017 that the complaint would not be maintainable in relation to the projects which are not registered with this Authority. The Hon'ble Bombay High Court has also held in Judicial Pronouncement No.2737 of 2017 dated 06.12.2017 in case of Neelkamal Realtors Suburban Pvt. Ltd. and others that "the Authority concerned would be dealing with the cases coming before it in respect of projects registered under RERA".

In view of the above, complaint is not maintainable at this stage, as the project to which it pertains is neither registered with the Authority nor under

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process of registration. The complaint is accordingly dismissed being not maintainable without prejudice to its merits. Complainant shall be at liberty to file complaint in future, in accordance with law.

The process to issue notice under Section 59 of Real Estate (Regulation & Development) Act, 2016 to the promoter for non registration of project has already been initiated.

Copy of order be provided, free of cost, to the complainant.

Present: Complainant in person
None for the Respondent.


(Sanjiv Gupta)
Member

9/05/18