

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

1. Complaint No. CC006000000089773

Mr. Deepak Dharshi Bheda & Ors.

.... Complainants

Versus

M/s. Schema Enterprises Pvt. Ltd.

.... Respondent

Project Registration No. P51700006657

Along With

2. Complaint No. CC006000000089801

Mr. Ramesh Ratanshi Chheda & Anr

.... Complainants

Versus

M/s. Schema Enterprises Pvt. Ltd.

.... Respondent

Project Registration No. P51700006657

Along With

3. Complaint No. CC006000000089802

Ms. Smita Jayantilal Bauva.

.... Complainant

Versus

M/s. Schema Enterprises Pvt. Ltd.

.... Respondent

Project Registration No. P51700006657

Along With

4. Complaint No. CC006000000089806

Mr. Pralhad Laxman Sanas & Anr.

.... Complainants

Versus

M/s. Schema Enterprises Pvt. Ltd.

.... Respondent

Project Registration No. P51700006657

Along With

5. Complaint No. CC006000000089897

Mr. Jayantilal Ratanshi Shah & Anr.

.... Complainants

Versus

M/s. Schema Enterprises Pvt. Ltd.

.... Respondent

Project Registration No. P51700006657

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Along With

6. Complaint No. CC006000000089899

Mr. Shantilal Lakhamshi Nishar & Anr.

.... Complainants

Versus

M/s. Schema Enterprises Pvt. Ltd.

.... Respondent

Project Registration No. P51700006657

Along With

7. Complaint No. CC006000000100207

Mr. Hiren Chheda & Anr.

.... Complainants

Versus

M/s. Schema Enterprises Pvt. Ltd.

.... Respondent

Project Registration No. P51700006657

Along With

8. Complaint No. CC006000000100208

Mr. Ashok P. Nandu.

.... Complainant

Versus

M/s. Schema Enterprises Pvt. Ltd.

.... Respondent

Project Registration No. P51700006657

Along With

9. Complaint No. CC006000000100230

Mr. Mansukh P. Boricha.

.... Complainants

Versus

M/s. Schema Enterprises Pvt. Ltd.

.... Respondent

Project Registration No. P51700006657

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

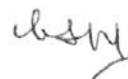
Adv. Rishi Milan Deshmukh appeared for the complainant.

Adv. Sanjay Chaturvedi a/w. Adv. Pooja Gaikwad appeared for the respondent.

ORDER

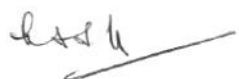
(9th December, 2019)

1. The complainants above named have filed these complaints seeking directions to the respondent for payment of interest for delayed possession under section-18 of the Real Estate (Regulation & Development) Act, 2016 (hereinafter referred to as "RERA") in respect of booking of their respective flats in the respondent's



project known as “Tropical Elite” bearing MahaRERA registration No. P51700006657 at Thane.

2. These complaints were heard finally on 8th November 2019, when both the parties appeared through their respective advocates and made their submissions. During the hearing and thereafter, it was noticed by the MahaRERA that according to the information available on the MahaRERA website, the validity period of the said project has already been lapsed on 31-05-2019. Further, the respondent has not uploaded form- 4 with occupancy certificate on MahaRERA website, which is the mandatory compliance of RERA.
3. The promoter of such a project should apply to MahaRERA for extension of the project. It should also form an association of allottees and share project related information with them. If the promoter is unable to complete the project, then the association can contemplate action under sections- 7 & 8 of RERA.
4. In view of the above facts, the respondent is directed to approach MahaRERA for extension of the project period or take any other action to revive the project giving a definite timeline for its completion. The respondent is further directed to enable the formation of association of allottees, as per section-11(4)(e) of RERA, share the contact details of all allottees with the complainants and other allottees. Further, the respondent is also directed to upload the Annual Audit Report of Statutory CA - Form 5 for Financial Year 2017-2018 and Financial Year 2018-2019. The registration bench of MahaRERA can also take appropriate action under sections 7 & 8 or other provision of RERA.
5. With these directions, all the nine complaints stands disposed of with the liberty to the complainants to approach MahaRERA for redressal of their grievances after the project is revived.


(Dr. Vijay Satbir Singh)
Member – 1/MahaRERA