

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

COMPLAINT No: CC005000000011418

Mr. Jaideep Joshi & 4 Ors Complainants

Versus

M/s. I Build Supreme Union JV Respondent

Along with

COMPLAINT No: CC005000000011421

Mr. Vishwadeep Singh & 4 Ors Complainants

Versus

M/s. I Build Supreme Union JV Respondent

MahaRERA Registration No. P52100001416

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

The complainants appeared in person.

Adv. D.C. Adkar appeared for the respondent.

Order

(27th June, 2018)

1. The above two complaints have been filed by the complainants, who are the allottees in the project registered with MahaRERA bearing No. P52100001416 known as "Florista County" at Pune against the respondent, who is the promoter of the said project. The complainants are seeking directions from this Authority to the respondent;

a) To pay compensation for mental and physical trauma towards drinking water reimbursement since August 2017.

- b) To complete all amenities such as club house, sports and leisure and lifestyle by end of May 2018.
 - c) To have dialogues with the customers on monthly basis till the completion of all the amenities.
 - d) To appoint a qualified Civil Engineer for the project.
2. The complainants allottees have made grievances before this Authority that they are occupying the flats since October 2017. However, the respondent has not provided the basic amenities for the project such as provision of potable drinking water through PMC, cleaning of garbage bin pipeline and its operation, LPG connection through pipeline. Fire Hydrant System, Amphitheatre, Water Soften, Safety and Security of the occupants, Club and Sport, Rain water harvesting, club house sports etc.,
3. In this case after hearing the arguments of both the parties, this Authority has passed an interim order on 5-06-2018, which reads as under;
- “ a) The respondent is directed to hold a meeting with the concerned allottees within a period of one week from now and try to resolve the issues on next date of hearing. He will submit written reply with regard to each and every prayer of the complainants.*
- b. The respondent is further directed that the receipts for all payments made to the government shall be given to the complainants allottees before the next date of hearing.”*
4. The respondent has filed his reply on record of this Authority. It was also informed to this Authority that pursuant to the directions of this Authority dated 5-06-2018, a meeting was convened by both the parties, However, many issues remained unresolved.

5. The complainants have stated that as per the registered agreement for sale, the respondent was to handover possession of the flats to them by December 2016. The respondent had given them only fit out possession in the month of October 2017 and since then, they are occupying their respective flats. However, the respondent has not provided the basic amenities, such as, potable water connection, solar system and fire fighting equipments to the said building.
6. The respondent has argued that the occupancy certificate is yet to be issued for the said building and only fit out possession was given to the complainants just for furnishing the interiors. But, the complainants have started residing in their respective flats. Further, the development activities in the said project is still under progress and all amenities will be provided by 31-03-2019, i.e. within the time specified in the registration with MahaRERA.
7. Considering the submissions made by both the parties and in compliance of principles of natural justice, this Authority feels that being allottees of the project, the respondent promoter is liable to provide at least the basic amenities to all allottees who are in occupation of the flats in the said project. In view of these facts, this Authority directs the respondent as under.
 - a) To provide potable water connection of PMC, Solar System and Fire Fighting equipments to the complainants' building within a period of three months from date of this order.
 - b) To convene monthly meeting with the allottees of the project.
 - c) Since more than 51% allottees have booked their flats in the project, need to form a co-operative housing society as required under the

Handwritten signature

provision of section 11 (4) (e) of the Real Estate (Regulation & Development) Act, 2016.

d) Both the parties have directed to submit compliance report to this Authority on quarterly basis till all amenities are provided by the respondent.

8. With these directions, both the above complaints stand disposed of.



(Dr. Vijay Satbir Singh)
Member -1, MahaRERA