

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

COMPLAINT No: CC006000000012750

Mr. Nitin J. Jaigude Complainant
Versus
M/s. Akshar Space Pvt. Ltd. Respondent

Along with
COMPLAINT No: CC006000000055006

Mr. Prathamesh Vijay Ternikar Complainant
Versus
M/s. Akshar Space Pvt Ltd Respondent

MahaRERA Registration No. P51700003889

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

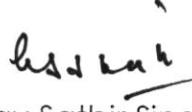
Adv. Jairam Chandnani appeared for the complainants.
Adv. Sanjuna Sudhakaran appeared for respondent.

Order
(23rd July, 2018)

1. The above complaints have been filed by the two complainants, who are the allottees in the project registered with MahaRERA bearing No. P51700003889 known as "Green World" at Airoli, Dist. Thane. They have prayed for directions from this authority to the respondents under section-18 of the Maharashtra Real Estate (Regulation and Development) Act, 2016 to pay them interest for the delayed period of possession in respect of their flats in the said project.
2. These complaints were heard on given dates and finally on 19th July, 2018. During the hearings, the advocate for the complainants has argued that this Authority had already passed an order in similar Complaint¹ regarding the project bearing Complaint No. CC00600000000089 dated 12th March, 2018 along with other 13 connected complaints. He further stated the subject matter of the present complaints being similar, he is adopting the same arguments as

advanced by him earlier for those 14 complainants. He, therefore requested for similar order in the present cases too.

3. The advocate for the respondent placed written submission on record of this Authority and stated that the case was factually similar to the earlier complaints and hence she had nothing new to argue. She further stated that the respondent has preferred Appeals before the Maharashtra Real Estate Appellate Tribunal against the order dated 12th March, 2018 passed by this Authority in earlier complaints.
4. In view of the aforesaid submissions made by both the parties, this Authority feels that these complaints are similar to the ones decided earlier and no additional grounds have been raised by the complainants as well as respondent. Therefore, the order dt. 12th March, 2018 recently passed by this Authority is applicable in the present case also. Accordingly, the respondent is directed to pay interest to the complainants from 1st July, 2017 till the actual date of possession at the rate of Marginal Cost Lending Rate (MCLR) plus 2% as prescribed under the provisions of Section 18 of the Real Estate (Regulation and Development) Act, 2016 and the Rules made thereunder.
5. This Authority further observed that the order dated 12th March, 2018 passed by this Authority has been challenged before the Hon'ble Maharashtra Real Estate Appellate Tribunal. Hence, the order passed by the Hon'ble Tribunal in Appeal shall be binding upon both the parties in the present case and similar other cases too.
6. With these directions, the complaints stand disposed of.


(Dr. Vijay Satbir Singh)
Member 1, MahaRERA