

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

Complaint No.CC006000000078554

Mr. Jagdish Lone

.... Complainant

Versus

M/s. Aasanghar Constructions

.... Respondent

Project Registration No. **P51700012086**

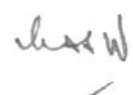
Coram: Dr. Vijay Satbir Singh, Hon'ble Member – 1/MahaRERA

Both the parties were absent.

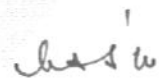
ORDER

(2nd January 2020)

1. The complainant has filed this complainant seeking directions from MahaRERA to the respondent to pay interest for the period of delay along with the early possession under section-18 of the Real Estate (Regulation & Development) Act, 2016 (hereinafter referred to as "RERA") in respect of booking of a flat in the respondent's project known as "**Hillcrest Apartments**" bearing MahaRERA registration No. P51700012086 situated at Titwala, Dist. Thane.
2. This complaint was heard on several occasions and the same was heard finally today. During the hearing, both the parties failed to appear before the MahaRERA, though the notices of hearing were served upon them in advance.
3. It was also noticed that according to the information available on the MahaRERA website, the validity period of the said project has already lapsed on 27-12-2018. Further, the respondent has not uploaded form-4 on MahaRERA website. However, no details about the occupancy certificate granted by the competent authority has been mentioned and also copy of the occupancy certificate has not been uploaded on MahaRERA website. It, prima facie, shows that the project is still incomplete.



4. In this regard, the MahaRERA is of the view that the promoter of such project should apply to MahaRERA for extension of the project. It should also form an association of allottees under section 11(4)(e) of the RERA and share project related information with the allottees. If the promoter is unable to complete the project, then the association can contemplate action under sections- 7 & 8 of RERA.
5. 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, share the contact details of all allottees with the complainant and other allottees. 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.
6. With these directions, the complaint stands disposed of with the liberty to the complainant to approach MahaRERA for redressal of their grievances after the project is revived.



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