

BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY,
MUMBAI

COMPLAINT NO: CC006000000000717

Mr. Sethuraman V

.. Complainant

Versus

M/s. Akshay Shtapatya HSA

MahaRERA Registration No - P 51800004991

..... Respondent

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

The complainant appeared in person.

Advocate Mrs. Ritika Agarwal for the respondent.

Date-10th November 2017

Order

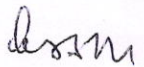
1. The complainant who is the Secretary of the Amardeep CHS Ltd has filed this complaint seeking directions to the respondent to issue bank guarantee and to pay all outstanding penalties as well as increased rent arrears for the period from 1st May 2017 till June 2018 to the complainant's Society. In this complaint, the complainant has raised following issues.

- a) An Agreement was executed in March 2011 followed by a supplementary agreement in 2013. IOD was obtained in Sept 2014 and the possession was due in Apr 2017. However, the respondent has constructed only six of 13 floors partially that too only exterior part of the building during the past six and half years. There is dispute between the partners which is hampering the progress of the project.
- (b) The Flat areas in IOD is less than that in agreement.
- (c) Revised date of completion is mentioned as Dec 2018 without consent of the Society.

- (d) No bank guarantee is given and even members' agreements have not been signed.
- (e) Few senior citizen members are suffering financially and physically due to delay.
- (f) There is no clause in the agreement for escalation of rent at periodical intervals.
- (g) Due to delay the rents are being paid by the members for transit accommodation.

2. This matter was heard by this Authority on various occasions and during the hearing on 31st Oct. 2017, both the parties have informed that they had amicably settled the matter. Accordingly, the respondent sought an adjournment to file an undertaking on record of this Authority stating the date of completion of this project. During the hearing today, the respondent has submitted an undertaking on record of this Authority stating that he shall complete the construction of the existing members' portion and handover the possession of the flats to the tenants latest by 30-09-2018. The same is taken on record.

3. In view of the said undertaking, the complaint stands disposed of.


(Dr. Vijay Satbir Singh)
Member-1