

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC00600000054661

Francisca Carvalho ... Complainant

Versus

SSV Builders and Developers Pvt Ltd
MahaRERA Regn. No. P51800011517 ... Respondent

Corum: Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was herself present a/w Mr. A.K. Tarte, Adv.
Respondent was represented by Mr. Hemant Parikh, Chairperson.

Order

July 25, 2018

1. The Complainant has booked an apartment bearing no. 503 in the Respondent's project 'Vicenza Residency/Commercial' through a Letter of Allotment. The Complainant alleged that even after having paid substantial amount towards the consideration price, the Respondent has failed to execute and register the agreement for sale. Therefore, the Complainant prayed that the Respondent be directed to refund the amount paid by him.
2. On the first date of hearing, the Respondent submitted that he is willing to execute and register the agreement for sale and handover possession of the said apartment within the next three years, though the period mentioned in the registration webpage is a much longer period. The Complainant also reconsidered her stand and showed her willingness to reconsider continuing in the said project, provided the possession date is within three years. However, parties sought an adjournment to settle the matter amicably.



3. On the next date of hearing, the Respondent was absent. The Complainant agreed to execute and register the agreement for sale with a possession within three years. The matter was decided *ex parte*, since the Respondent was absent.
4. In view of the above, the matter is disposed of with the following order:
 - i) The parties are directed to execute and register the agreement for sale as per the provisions of section 13 of the Real Estate (Regulation and Development) Act, 2016 and the rules and regulations made thereunder within 30 days from the date of this Order with a timeline of three years from the date of execution of the agreement for sale, for handing over possession.


(Gautam Chatterjee)
Chairperson, MahaRERA