

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

**1. Complaint No. CC005000000022335**

Sarveshwar S Desai

..... Complainant

**Versus**

Shivtara Associates

Mrs. Kiran Ravindra Dhumal

..... Respondents

Along with

**2. Complaint No. CC005000000022336**

Amol Phalle

..... Complainant

**Versus**

Shivtara Associates

Mrs. Kiran Ravindra Dhumal

..... Respondents

Along with

**3. Complaint No. CC005000000022337**

Anil Rathod

..... Complainant

**Versus**

Shivtara Associates

Mrs. Kiran Ravindra Dhumal

..... Respondents

Along with

**4. Complaint No. CC005000000022338**

Prashant Deshmukh

..... Complainant

**Versus**

Shivtara Associates

Mrs. Kiran Ravindra Dhumal

..... Respondents

Along with

*Chavan*

**5. Complaint No. CC005000000022339**

Sumit Singh

..... Complainant

**Versus**

Shivtara Associates

Mrs. Kiran Ravindra Dhumal

..... Respondents

Along with

**6. Complaint No. CC005000000022340**

Devraj Hazare

..... Complainant

**Versus**

Shivtara Associates

Mrs. Kiran Ravindra Dhumal

..... Respondent

Along with

**7. Complaint No. CC005000000022341**

Pradipkumar Kinkholkar

..... Complainant

**Versus**

Shivtara Associates

Mrs. Kiran Ravindra Dhumal

..... Respondents

Along with

**8. Complaint No. CC005000000022343**

Kishor Suryawanshi

..... Complainant

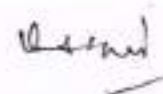
**Versus**

Shivtara Associates

Mrs. Kiran Ravindra Dhumal

..... Respondents

Along with



**9. Complaint No. CC006000000022356**

Sachin Pawar

..... Complainant

**Versus**

Shivtara Associates

Mrs. Kiran Ravindra Dhumal

..... Respondents

Along with

**10. Complaint No. CC005000000022357**

Abhijit Mahajan

..... Complainant

**Versus**

Shivtara Associates

Mrs. Kiran Ravindra Dhumal

..... Respondents

Along with

**11. Complaint No. CC005000000022360**

Manoj Vyas

..... Complainant

**Versus**

Shivtara Associates

Mrs. Kiran Ravindra Dhumal

..... Respondents

Along with

**12. Complaint No. CC005000000022369**

Sandeep Dhaneshwar

..... Complainant

**Versus**

Shivtara Associates

Mrs. Kiran Ravindra Dhumal

..... Respondents

Along with

*Lissan*



**13. Complaint No. CC005000000022370**

Aju Marshal

.... Complainant

**Versus**

Shivtara Associates

Mrs. Kiran Ravindra Dhumal

..... Respondents

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

Adv. A. R. Mokashi appeared for the complainants in all the complaints.

The respondent is absent.

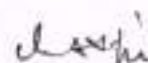
**ORDER**

(25th March, 2019)

1. Heard the parties.
2. The complainants are allottees in the project of the respondent. They have executed the agreement to sale and paid substantial money towards the consideration of their flats. The agreement to sale has been executed on the different dates with different dates of possession.
3. 5 out of 13 complainants have taken fit out possession on the different dates in the year 2014 and 2016. However, the project got delayed and the respondent could not handover the possession along with amenities and occupancy certificate so far.
4. During the hearing today, the respondent was absent. The complainant submitted that they wanted to have the possession at the earliest possible time. The date of possession mentioned by the respondent while registering the project in MahaRERA is December, 2018, which is over. The learned advocate for the complainants submitted therefore that they want to take possession of the flats. They were also ready to defer claims till the date of completion of the project. They further prayed that, their balance payment to be made to the developer at the time of giving possession be deferred till the time of possession or occupancy certificate.

*[Signature]*

5. After hearing submissions made on behalf of the complainants, the respondent is directed to complete the project at the earliest. He is also directed to handover the possession of the flats to the complainants. The balance payment by the complainant is to be made at the time of possession can only be recovered after respondent gets the occupancy certificate. The complainants can also raise their claims of the interest after getting the possession.
6. With the above directions all the complaints are disposed of.



(Dr. Vijay Satbir Singh)  
**Member - 1/MahaRERA**