

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

COMPLAINT No: CC005000000010660

Mrs. Anita Modi

..... Complainant

Versus

M/s. D.S Kulkarni Developers Limited

MahaRERA Registration No. P52100005158

..... Respondent

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

The complainant appeared in person.

Adv. Jayashree Latkar appeared for the respondent

Order

(5th February, 2018)

1. The complainant is an allottee of 5 flats bearing No. 1101 and 1102 having carpet area of 45.52 sq.mt. on 11th floor in building No. D, Flat No. 803 of 46.92 sq.mtrs on 8th floor in building No. E, Flat No.1202 on 12th floor admeasuring 46.17 sq.mtrs in building No. F and flat No.603 on 6th floor having an area of 46.92 sq.mt. in building No. E in the project known as "DSK Anandghan" bearing MahaRERA registration No. P52100005158 at Pune.
2. This matter was heard today. The complainant has stated that she had booked 5 residential flats in respondent's project on 25th April 2017 and paid 100% amount to the respondent. The respondent has issued her an allotment letter dated 29th April 2017 and agreed to handover the possession of the flats by June 2017. But, till date the respondent neither executed registered agreement for sale with her nor given possession of the flats. Now the respondent has given revised completion date as 30th April 2021 to MahaRERA, which is not acceptable to the complainant. Hence, the complainant prayed for direction to the respondent for

execution of agreement for sale with the complainant and for early date of possession.

3. The respondent has admitted the fact that the complainant has paid 100% amount to him. However, he has stated that due to financial crunch she could not execute the agreement for sale with the complainant till date. However, the respondent has filed notarized affidavit-cum-undertaking executed by Mrs. Hemanti Deepak Kulkarni, authorized signatory of the respondent on record of this Authority stating that since the allotment letter had been issued to the complainant, she would execute the registered agreement for sale with the complainant by August 2018. In addition to this, the respondent has stated that the possession of the flat would be handed over to the complainant by December 2018 with a grace period of 6 months i.e. June 2019. The complainant accepted the said undertaking.
4. In view of above, nothing survives in this complaint. Hence the complaint stands disposed of.



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