

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

COMPLAINT NO: CC005000000010941

Chetan Nikam  
Amod Tiwari  
Purusottam Mishra  
Pradeep Londhe

... Complainants

Versus

Arush Associates  
MahaRERA Regn.No. P52100013773

... Respondent

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA


Complainants were themselves present.

Respondent was represented by Mr. Umesh Wakode, Partner.


**Order**

April 17, 2018

1. The Complainants have purchased apartments via registered agreements for sale in the Respondent's project 'MARVELLA' situated at Mulshi, Pune sometime in 2014. The Complainants alleged that the Respondent was to handover possession in 2017 but has failed to do so till date. Therefore, they prayed that the Respondent be directed to hand over possession within a reasonable time and pay them interest, for delay, as per the provisions of section 18 of the Real Estate (Regulation and Development) Act, 2016 (*hereinafter referred to as the said Act*).
2. During the hearing, the Respondent explained that the construction work of the project has been delayed because of reasons which were beyond his control and that he is now committing to handover possession of the apartments by December 2018. The Complainants accepted the same and both the parties agreed to the revised timeline for possession of the apartments.



3. In view of the above facts, the Respondent shall, therefore, handover possession of the apartments, with Occupancy Certificate, to the complainants before the period of December, 2018, failing which the respondent shall be liable to pay interest to the Complainants from January 1, 2019 till the actual date of possession, on the entire amount paid by the Complainants to the Respondent. The said interest shall be at the rate as prescribed under Rule 18 of the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rate of Interest and Disclosures on Website) Rules, 2017. Further, the Respondent shall initiate the process of forming the co-operative housing society within 30 days from the date of this Order.
  
4. Consequently, the matter is hereby disposed of.

  
(Gautam Chatterjee)  
Chairperson, MahaRERA