

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000023181

Aparna Singh
Arvind Singh

... Complainants

Versus

Panchmukhi Builders and Developers
MahaRERA Regn.No. P99000005198

... Respondent

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was himself present.

Respondent was represented by Mr. Nitin Chafekar, Partner.

Order

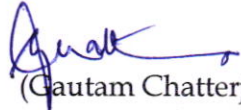
May 4, 2018

1. The Complainants have purchased an apartment bearing No. 603 in the Respondent's project 'VICTORY HEIGHTS' situated at Vasai, Thane via a registered agreement for sale dated May 29, 2015. The Complainants have stated that the Respondent has failed to hand over the possession of the said apartment till date. Therefore, they prayed that the Respondent be directed to pay interest, on delay, as per the provisions of section 18 of the Real Estate (Regulation and Development) Act, 2016 (*hereinafter referred to as the said Act*) and commit to a timeline to handover possession of the said agreement.
2. The Respondent explained that the construction work of the project could not be completed because of reasons which were beyond the Respondent's control. Specifically, he submitted that there was pending litigation between the landowners of the said project which has held up the completion of the project work. Further, he submitted that though no specific date of possession was mentioned in the said agreement for sale and therefore the question of payment of interest, on delay, does not arise. He said that the Respondent is now committing to handover possession of



the said apartment by December, 2018 as mentioned in the MahaRERA registration webpage.

3. The Complainant accepted the contention of the Respondent. The time period mentioned for completion of the project is also a reasonable one.
4. In view of the above facts, the Respondent shall, therefore, handover the possession of the said apartment, with Occupancy Certificate, to the Complainant before the period of December 31, 2018, failing which the Respondent shall be liable to pay interest to the Complainant from January 1, 2019 till the actual date of possession, on the entire amount paid by the Complainant 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.
5. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA