

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

COMPLAINT NO: CC0060000000044548

Jatin Sethi

... Complainant.

Versus

Monarch & Qureshi Builders
(Gaurav Legend)

...Respondents.

MahaRERA Regn: P51800010967

Coram: Shri B.D. Kapadnis,
Hon'ble Member & Adjudicating Officer.

Appearance:

Complainant: Adv. Kunal Parikh.

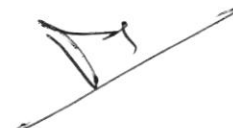
Respondents: Absent.

FINAL ORDER

26th June 2018.

The complainant agreed to purchase flat nos. 2101 and 2106 in the respondents' registered project Gaurav Legend, Andheri, Mumbai. He alleges that the respondents have not executed the agreements for sale though more than 10% of the total consideration has been paid. He therefore, requests to direct the respondents to execute the agreements for sale and hand over the possession of the flats within three months from the date of agreement. He also claims damages and interest on his amount.

2. Despite the notice marked Exh. 'A', the respondents have failed to appear and therefore, the complaint proceeds exparte against them.



3. The learned advocate of the complainant has filed purshis marked Exh. 'B' to contend that the complainant does not press his prayer for damages and compensation for the time being. According to him, in a similar case filed by Mr. Sanjeev Kapoor bearing complaint no. CC006/882, this Authority has directed the respondents to execute the agreement for sale and to hand over the possession of the apartment by December 2019. Therefore, he submits that the order on similar lines may be passed in this complaint also.

4. After perusal of the papers, I find that the complainant has booked flats no. 2101 and 2106 in Gaurav Legend project. The respondents have not executed the agreements for sale of the said flats even after receiving more than 10% of the consideration amount. Hence under Section 13 of Real Estate (Regulation and Development) Act, 2016, it is necessary to direct the respondents to execute the agreements for sale of those flats in complainant's favour and register it.

5. It appears that in the case of Sanjeev Kapoor the respondents have undertaken to hand over the possession of the flats of the project by December 2019. The respondents agreed in that case to complete the 15th floors slab by December 31, 2018. In view of these circumstances, it is necessary to direct the respondents to complete the 15th slab of the building by December 2018 and complete the project by December 2019. Hence, the following order.

ORDER

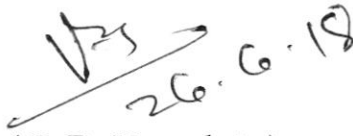
1. The respondents shall execute and register agreements for sale of the booked flats in favour of the complainant within 90 days from this order under Section 13 of Real Estate (Regulation and Development) Act, 2016 (RERA).
2. The Respondents shall complete the 15th slab by December 2018 and shall complete the project by December 2019.



3. The complainant is at liberty to raise the issue of delayed interest under Section 18 of RERA at appropriate stage.
4. No order as to cost.

Mumbai.

Date: 26.06.2018.


(B. D. Kapadnis)
Member & Adjudicating Officer,
MahaRERA, Mumbai.