

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

COMPLAINT NO: CC006000000000221

Mukul Kumar ... Complainant

Versus

Yash Enterprises ... Respondent  
MahaRERA Regn.No. P52100012608

**Order**

7<sup>th</sup> November 2017

1. The complainant has filed this complaint, wherein they have stated that they have entered into agreement for sale vide 23<sup>rd</sup> December 2015 to purchase an apartment in Respondent's above mentioned Project. The date of possession was November 2016. However, till date the complainant has not received the possession. Moreover, the Respondent has put a revised date of completion on MahaRERA website as 30<sup>th</sup> December 2020. The complainant is not ready to wait till that time and have asked for directions to the Respondent for handing over early possession of the apartment, rent and EMI for delaying the possession from December 2016.
2. The Complainant himself pleaded. Shri Vinod Patel, appeared for the Respondent.
3. The Respondent stated that the project is nearing completion and he is ready to handover the possession of said apartment to the complainant on or before 31<sup>st</sup> March 2018. The complainant agreed to the said date of possession.
4. The revised date of possession is commensurate with the extent of balance development as per Rule 4 of the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rates of Interest and Disclosures on Website) Rules, 2017. The respondent shall, therefore, handover the possession of the said apartment to the complainant before the period of 31<sup>st</sup> March 2018, failing which the respondent shall be liable to pay interest to the complainant from 1<sup>st</sup> April 2018 till the actual date of possession, on the entire amount paid by the complainant to the respondent. The said interest shall be the MCLR plus two percent, 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)

Hon'ble Chairperson, MahaRERA