

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

COMPLAINT No: CC006000000023391

Mr. Jitendra R. Singh

..... Complainant

Versus

M/s. Nirmal Lifestyle (Kalyan) Private Limited

MahaRERA Registration No. P51700005451

..... Respondent

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

The complainant appeared in person.

Mr. Rohit Chavan appeared for the respondent.

prasad

Order

(16th April 2018)

1. The complainant has filed this complaint seeking directions from this Authority to the respondent to pay interest for the delayed possession in respect of booking of a flat bearing No. 703 admeasuring 465 sq.ft. carpet area in the building known as "Platano D" bearing MahaRERA registration No. P51700005451 at Kalyan Dist Thane.
2. During the hearing today, the complainant informed that he had purchased the flat from the respondent and executed a registered agreement for sale dated 10-10-2014 for a total consideration amount of Rs 21,19,457/-. As per clause No. 16 of the said agreement, the respondent had agreed to handover the possession of the said flat to the complainant by December

Signature

2016 with a grace period of 6 months i.e. by 30th June 2017. Now, the respondent has modified the date of possession from June 2017 to 31st December 2020 while registering the project with MahaRERA. The complainant has made several unsuccessful requests to the respondent for possession. He has, therefore, prayed for early possession of the flat and interest for delay.

3. The respondent has accepted the claim of the complainant and filed a written undertaking on record of this Authority showing his willingness to pay interest to the complainant as per the provisions of RERA Act, 2016 and the Rules made there under from 1st July 2017 till the actual date of possession. The respondent further agreed that the said amount shall be payable on 10th day of every month. The said undertaking is taken on record.
4. In view of the said undertaking, nothing survives in this complaint. The respondent is abiding by the said undertaking.
5. Accordingly, the complaint stands disposed of.



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

