

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000001339

Sajan Jose Padikkala
Anupama Sajan Padikkala

... Complainants

Versus

Ashok Chatumal Gacheria
Clublife Realtors Private Limited
MahaRERA Regn.No. P51700012319

... Respondent

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was himself present

Respondent was represented by Adv. Christine Ruwrie

Order

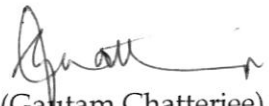
January 15, 2018

1. In 2015, the Complainants had booked an apartment bearing No. B-1102 in the Respondent's project 'UTSAV' situated at Bhiwandi, Thane through an allotment letter. The Complainants have stated that since the project was not progressing as per the agreed timelines the Complainants informed the Respondent their decision to cancel the allotment and sought refund of the monies paid, to which the Respondent did not respond.
2. The Complainants have prayed that the Respondent be directed to refund the amounts paid, along with interest.
3. The Respondent stated that the project has been delayed due to reasons beyond their control, however they are willing to take back the Complainants as an allottee, execute and register the agreement for sale and handover possession of the said apartment by



September 30, 2019 which is several months earlier than the date mentioned by them in their MahaRERA registration. The Complainants agreed to reconsider their decision of cancellation and accepted the Respondent's proposal.

4. In view of the above facts, the parties are directed to execute and register the agreement for sale as per the provisions of section 13 of the Real Estate (Regulation and Development) Act 2016 and the rules and regulations made thereunder within 45 days from the date of this Order, mentioning the date of handing over the possession of the said apartment, with Occupancy Certificate, to the Complainant before the period of September 30, 2019.
5. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA