

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000012294

Sushma and Swapnil Patil

... Complainants

Versus

Horizon Realty
MahaRERA Regn. No. P51900009490

... Respondent

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainants were themselves present.

Respondent was represented by Mr. V. A. Joshi, Adv.

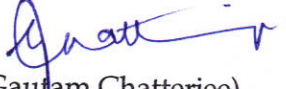
Order

June 20, 2018

1. The Complainants have purchased an apartment bearing no. 606 in the Respondent's project 'HORIZON TOWER' situated at Chembur, Mumbai via a registered agreement for sale dated April 20, 2006. The Complainants alleged that the date of possession as stipulated by the said agreement is long over and that the Respondent has failed to handover possession of the said apartment, till date. Therefore, they prayed that the Respondent be directed to pay them interest for the delay in handing over possession.
2. The learned counsel for the Respondent explained how the construction work of the project could not be completed because of mitigating circumstances, however now the mitigating circumstances are over. Further, he submitted that they have already applied to the concerned local authority for obtaining Occupancy Certificate for the said project and that possession of the said apartment will be handed over by December, 2018. The Complainants also accepted the revised date for receiving possession of their apartment.



3. In view of the above facts, the Respondent shall, therefore, handover the possession of the apartment, with Occupancy Certificate, to the Complainants 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 Complainants 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.
4. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA