

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

COMPLAINT NO: CC005000000010706

Mukesh Patel

...

Complainant

Versus

M/S Twin Star Infrastructure  
MahaRERA Regn.No. P52100009509

...

Respondent

Corum: Shri. Gautam Chatterjee, Chairperson, MahaRERA

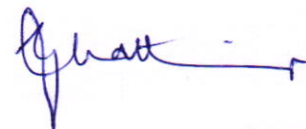
Complainant was himself present.

Respondent was represented by Mr. S.M. Yelmar, Adv.

**Order**


May 4, 2018

1. The Complainant, as a member of a group of 50 persons, had booked apartments in the Respondent's project 'VAASTU IMPERIAL Wing A' situated at Haveli, Pune through a Memorandum of Understanding (MOU) in August 2013. The Complainant alleged that they were promised that the possession of the said apartment will be handed over to them by December 2016 but the Respondent has failed to do so. Therefore, he prayed the Respondent be directed to execute and register the agreement for sale and pay him interest for the delayed possession.
2. The advocate for the Respondent submitted that the Respondent is willing to execute and register the agreements for sale for all the members of the group, who have been offered a much lower consideration price because of the group booking, at the agreed consideration price. However, he submitted that the group members are neither coming forward to make the payment of the agreed consideration amount as per the progress of construction work nor executing the agreements for sale. The progress of the construction work has slowed down due to non-payment of the consideration amounts, he said. Further, he submitted that at the time of executing and registering



the agreements, the Complainant and the other group members will have to make the payments in accordance with the progress of work completed and pay the applicable taxes.

3. During the course of the hearing, the Complainant submitted that he is willing to take the initiative to get the said group members to execute and register the agreements for sale.
4. In view of the above facts, the parties are directed to execute the agreements 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. The Complainant shall make the payments in accordance to the progress of the work completed and pay the taxes as applicable.
5. Consequently, the matter is hereby disposed of.

  
(Gautam Chatterjee)  
Chairperson, MahaRERA