

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI
COMPLAINT NO: CC005000000010702

Jyoti and Ashish Bothra ... Complainants

Versus

Lake District Realty Private Limited ... Respondent
MahaRERA Regn.No. P52100005657

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was represented by Mr. Ameya Ranade, Adv.

Respondent was represented by Mr. Abir Patel, Adv., (Wadia Gandhi & Co.).

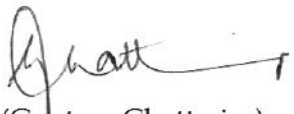
Order

March 15, 2018

1. The Complainants have purchased an apartment bearing No. 304 (A5) in the Respondent's project 'Cove- Lake District Phase II' situated at Haveli, Pune via a registered agreement for sale dated April 26, 2013 and pursuant to the said agreement the date of possession was September 2015. Therefore, the Complainants prayed that the Respondent be directed to pay them interest for the delayed possession.
2. The advocate for the Respondent argued that the Complainants have subsequently mutually agreed in a memorandum of understanding executed on a stamp paper on 16th March 2016 pursuant to which the date of handing over possession has been agreed as June 2019. The advocate for the Complainant, on the first date of hearing, was not aware of the mutually agreed memorandum of understanding. He sought adjournment to seek instructions from the Complainant.



3. On the next date of hearing, the advocate for the Complainants while accepting that the two parties have executed the memorandum of understanding, argued that the Respondent be directed to register the said document as a supplementary agreement. The Authority did not feel the necessity to give any such direction.
4. The Complainants, in alleging that the date of possession is September 2015, have failed to take into account the further extensions, mutually agreed by the parties.
5. Therefore, there has been no delay as alleged by the Complainants. The complaint is dismissed, being premature.


(Gautam Chatterjee)
Chairperson, MahaRERA