

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

1. COMPLAINT NO: CC006000000057808
Mr. Gaurav Arora and Mrs. Dilnavaz Munshi
2. COMPLAINT NO: CC006000000057624
Binyamin Khatri
3. COMPLAINT NO: CC006000000057684
Mr. Albert S. Rodrigues & Mrs. Sadhna A. Rodrigues
4. COMPLAINT NO: CC006000000057704
Mrs. Avita Ajit Dias & Mr. Ajit Michael Dias
5. COMPLAINT NO: CC006000000057770
Mr. Robin Marshall D'Silva
6. COMPLAINT NO: CC006000000057773
Mrs. Snehal Tony Lopes & Mr. Tony Sylvester Lopes
7. COMPLAINT NO: CC006000000057793
Mr. Valerian John Lobo
8. COMPLAINT NO: CC006000000057807
Mr. Preetul Anthony Correia & Mrs. Nilam Preetul Correia
9. COMPLAINT NO: CC006000000057814
Mrs. Anjali Baptista Correia
10. COMPLAINT NO: CC006000000057819
Mr. Anand Baptista Correia & Mrs. Priti Anand Correia
11. COMPLAINT NO: CC006000000057826
Mrs. Shobha Leo Machado & Mr. Leo Gabriel Machado
12. COMPLAINT NO: CC006000000057842
Mr. Gregory Mathew Dodti & Mr. Gregory Mathew Dodti
13. COMPLAINT NO: CC006000000057850
Mr. Sacheen Benjamin Rumao & Mrs. Hilda Sacheen Rumao
14. COMPLAINT NO: CC006000000058021
Mrs Kasturi Neogi & Mr Rahul Neogi



15. COMPLAINT NO: CC006000000078274

Mrs Shilpi Rajesh Garg

16. COMPLAINT NO: CC006000000078295

Mr Deepak Agarwal & Mr Prakash Agarwal

17. COMPLAINT NO: CC006000000078321

Mr. Harshal Aloysius Nunes

... Complainants

Versus

Man Global Ltd.

MahaRERA Regn. No. P51700008395

... Respondent

Corum: Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainants no. 1 were represented by Mr. Somil Gada, Authorised representative.

Complainant no. 2 did not appear.

Complainants nos. 3 - 17 were represented by Mr. S. Parthasarathy, Authorised representative (i/b R. S. Prabhu and Associates).

Respondent was represented by Ms. Garima Agarwal, Adv. (i/b Wadia Ghandy & Co.) a/w Ms. Anisha Nair, Authorised representative.

Order

May 09, 2019

1. The Complainants have purchased apartments in the Respondent's project 'MAN OPUS' (hereinafter referred to as the *said Project*) situated at Mira-Bhayandar, Thane via registered agreements for sale (hereinafter referred to as the *said agreements*). The Complainants alleged that the date of handing over possession pursuant to the said agreements is long over but the Respondent has failed to handover possession. Therefore, they prayed the Respondent be directed to hand over possession of the apartments at the earliest, and pay them interest for the delay under Section 18 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as the *Said Act*).




2. The said project is registered with a total of eight buildings and is divided into three phases as follows:
 - Phase I - C1 (Building 2, 3), C2 (Building 4, 5) and A (Building 8, 9)
 - Phase II - E (Building 1), D1 (Building 7) and D2 (Building 6)
 - Rental Housing Component- Building R1 and R2
3. The said project was registered with a revised completion date of December 31, 2018. The original proposed date of completion was January 1, 2016 as disclosed by the promoter/ Respondent Man Global Ltd. at the time of MahaRERA registration. It is a project under the Rental Housing Scheme administered by MMRDA, though the Competent Planning Authority is Mira Bhayandar Municipal Corporation.
4. The learned counsel/ authorised representative for the Respondent submitted that the Respondent has obtained the NOC from the planning authority and that the occupation certificate will be obtained shortly.
5. The respondent has filed written submissions; however, they are not considered at this stage of project completion, as detailed Orders in the previous complaints have been passed in the said project.
6. All the complainants are seeking completion of the MahaRERA registered project, possession of their apartments and interest on delay. None of the allottees are seeking withdrawal from the project with interest and compensation.
7. In previous complaints filed against the said project MahaRERA, in accordance with Section 4 (2) (l) (C) of the said Act read with Rule 4(2) of the said Rules, had ascertained that Phase I should have been duly completed by January, 2018 and Phase II by March, 2018.
8. In view of the above and in keeping with the earlier orders, the Respondent is held liable to pay interest on delay from February 1, 2018 onwards for Phase I Complainants and from April 1, 2018 onwards for Phase II Complainants, till he offers possession of the apartments, with OC, to the Complainants. The said interest will be at the rate as prescribed under Rule 18 of the said Rules.



9. The Complainants will be required to pay their balance payments only at the time of possession and the interest as stipulated in para 7 above shall be adjusted at that time. As mentioned in the previous Order, it is reiterated that if the Respondent fails to complete the project even by April 2019, steps should be taken by the Association of Allottees for revocation of registration as per the provisions of Section 7 of the said Act and further completion of the balance work as per the provisions of Section 8 of the said Act as per the MahaRERA Order No. 8/19 on Revocation of Registration of Project dated March 28, 2019.

10. Consequently, the matters are hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA