

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI
COMPLAINT NO: CC006000000001699

Sumitra Buildcons Private Limited

... Complainant

Versus

Conwood Realty Private Limited
MahaRERA Regn.No. P51700006934

... Respondent

Corum:
Shri Gautam Chatterjee, Chairperson, MahaRERA

Complainant was represented by Mr. Ramkishor Gupta.
Respondent was represented by Ms. Priya Amiri, Director


Order

15th December 2017

1. The complainant has booked five apartments bearing No. 603, 1604, 1901, 1902 and 1904 in the Respondent's project 'Conwood Enclave' situated at, Vasant Vihar, Thane, through allotment letters in 2009. The complainant alleged that even though 50% of the total consideration of the said apartments has been paid, the respondent has failed to execute the registered agreements for sale.
2. Respondent stated that the Commencement Certificate (CC) for higher floors has been applied for but yet to be obtained and they can execute the registered agreement for sale only after obtaining the CC, as is the practice in Thane. They further said that they are willing to refund the amounts paid by the complainant, if they do not want to continue in the project. However, the complainant insisted that the agreements for sale be executed and possession be handed over as soon as possible.



3. In view of the above facts, the parties are directed to execute 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 on which the Commencement Certificate is obtained by the respondent. Further, no demands for payments to be raised by the respondent till the execution of the agreements, as the complainant has already made payment of 50% of the consideration amount.
4. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA