

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000023410

Preeti and Prasannaraj Bhatawdekar

... Complainants

Versus

Sheth Infraworld Private Limited
MahaRERA Regn. No. P51800000882

... Respondent

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainants were themselves present.

Respondent was represented by Mr. Kishor Salunke, Adv.

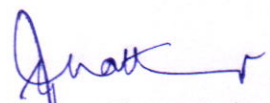
Order

June 12, 2018

1. The Complainants have purchased apartment bearing no. B-103 in the Respondent's project 'SHETH MIDORI' situated at Borivali, Mumbai via registered agreement for sale in September, 2014. The Complainants have alleged that the date of possession, as stipulated by the said agreement was March, 2016 and that the Respondent has failed to hand over possession of the apartment till date. Further, they alleged that the Respondent is now demanding additional amounts for an alleged increase in the carpet area of the apartments; however, no details of the same are being provided. Therefore, they prayed that the Respondent be directed to pay them interest, on delay, as per the provisions of section 18 of the Real Estate (Regulation and Development) Act, 2016 (*hereinafter referred to as the said Act*) and commit to a reasonable timeline for handing over possession. Further, they prayed that the Respondent may be directed to not demand any additional amounts as there has been no change in the carpet area of the apartments.



2. The learned Counsel for the Respondent submitted that the Respondent will handover possession of the apartments in accordance with the plan of the respective apartments as mentioned in the agreements for sale and that no further charges towards the carpet area will be demanded.
3. In complaint no: CC006000000000889 pertaining to building B, the Respondent has been directed to handover possession of the apartment with Occupation Certificate by March, 2018 failing which interest, on delay would be levied.
4. In view of the above facts, the Respondent shall, therefore, pay interest, on delay, to the Complainants from April 1, 2018 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. Further, the Respondent shall not demand any further amounts towards the change in carpet area of the apartment if the plan of the apartments remains the same as stated in the agreement for sale. The Complainants shall be required to make the balance consideration amount payments to the Respondent only at the time of delivery of possession of the apartment, after adjusting the receivable interest, on delay, as enumerated above.
5. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA