

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000001403

Mandeep Sinha
Anushka Sinha

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Complainants

Versus

ITMC Developers Pvt. Ltd.
MahaRERA Regn.No. P51800006372

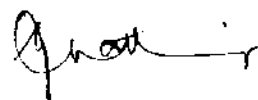
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Respondent

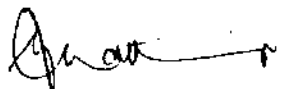
Order

21st December 2017

1. The complainants had booked an apartment bearing no 03 in the Respondent's project Sapphire I located at Vikhroli, Mumbai through a booking letter dated November 15, 2014. The complainants alleged that even after several follow ups the Respondent has failed to register the agreement for sale for the said apartment and to handover possession of the same by June 30, 2016 as promised. Therefore, the complainants prayed that the Respondent be directed to refund the amount paid by them along with interest.
2. During the hearing, the advocate for the Respondent explained how due to reasons beyond the Respondent's control, there was a delay in completion of the project. However, now the work of construction is in full swing and he will be able to complete the said project, with Occupancy Certificate, before 31st March 2019. He also showed willingness to immediately sign the registered agreement with the complainant.
3. The complainant however, insisted on withdrawing from the project under provisions of Section 18 of the Real Estate (Regulation and Development) Act, though he does not have a registered agreement for sale.



4. In view of the above facts, the parties, in case the complainants intend to continue in the project, are hereby directed to sign the registered agreement for sale, as per the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of real estate agents, rates of interest and disclosures on website) Rules, 2017 within 45 days from the date of this Order, with a date of possession as March 31st, 2019.
5. If the complainants do not intend to continue in the project, cancellation of the said booking will be in accordance with the terms and conditions of the booking letter.
6. Consequently, the matter is hereby disposed of.


Gautam Chatterjee
Chairperson, MahaRERA