

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000012501

Rekha Kothi
Rajnikant Kothi
Jay Kothi

... Complainants

Versus

Wadhwa Group Holdings Private Limited

... Respondent (1)

SSSC Escatics Pvt. Ltd.
MahaRERA Regn.No. P51800008831

... Respondent (2)

Corum:

Shri Gautam Chatterjee, Chairperson, MahaRERA

Complainant represented himself with Mr. R.S.Prabhu, CA
Respondent (1) was represented by Mr. Sanjay Gavkar, Adv.
Respondent (2) was represented by Ms.Nikita Menon, Adv.


Order

February 27, 2018

1. The Complainants have entered into a registered agreement for sale (*hereinafter referred to as the said agreement*) on March 5, 2014 to purchase an apartment bearing No. 1004, along with three podium car parking spaces, in the Respondents' project 'Nest Wing A' located at Andheri, Mumbai. The Complainants alleged that Respondent (2) was to handover possession of the said apartment by October 2015 pursuant to the said agreement. Therefore, the Complainants have prayed that the Respondents be directed to pay them interest as per the provisions of section 18 of the Real Estate (Regulation and Development) Act 2016.
2. On the first and second dates of the hearing on January 15, 2018 and January 31, 2018, parties sought time to settle the matter amicably.



3. On the next date of the hearing, on February 26, 2018, Complainants and Respondent (1) submitted that they have resolved the matter amicably. Further, advocate for Respondent (1) submitted that possession of the said apartment will be handed over by June, 2018. Respondent (2) submitted that they will procure the part Occupation Certificate for the said project, in accordance with the terms of the agreement between the Respondents, by June 30, 2018.
4. In view of the above facts, the Respondent (1) shall, therefore, handover possession of the said apartment, with Occupancy Certificate, to the Complainants before the period of June 30, 2018, failing which the Respondents shall be liable to pay interest to the Complainants from July 1, 2018 till the actual date of possession, on the entire amount paid by the Complainants to the Respondents. 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.
5. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA