

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

COMPLAINT NO: CC00500000000220

Sharad Patil ... Complainant

Versus

Yash Enterprises  
MahaRERA Regn.No. P52100012608 ... Respondent

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

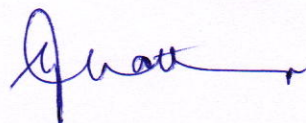
Complainant was himself present

Respondent was represented by Mr. Mahendra Jadhav, Representative

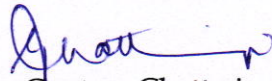
**Order**

February 9, 2018

1. The Complainant has entered into a registered agreement for sale (*hereinafter referred to as the said agreement*) in May, 2015 to purchase an apartment bearing No. 405-C in the Respondent's project 'Tulip Homes' situated at Pune. The Complainant stated that the date of possession as stipulated by the said agreement was December 2016.
2. The Complainant alleged that the Respondent has failed to hand over possession of the said apartment within the stipulated period and therefore he be paid interest as per the provisions of section 18 of the Real Estate (Regulation and Development) Act, 2016 (*hereinafter referred to as the said Act*).
3. The Respondent and the Complainant sought time to discuss the matter to understand the reasons for the delay and mutually agree on a reasonable date of possession. On the next date, the Respondent stated that the construction project is nearing completion and he is ready to handover the possession of said apartment to the Complainant on or before March 31, 2018. The Complainant has agreed to the said date of possession.



4. The revised date of possession is commensurate with the extent of balance development as per Rule 4 of 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. The respondent shall, therefore, handover the possession of the said apartment to the complainant before the period of March 31, 2018, failing which the respondent shall be liable to pay interest to the complainant from April 1, 2018 till the actual date of possession, on the entire amount paid by the complainant to the respondent. The said interest shall be the MCLR plus two percent, as prescribed under Rule 8 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