

**BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI**

Complaint No. CC006000000079151

Mr. Rashmin Sadanand Bhagat

Mrs. Kavita Rashmin Bhagat

.... Complainants

Versus

M/s. Veer Maruti Developers and 9 others

.... Respondents

Project Registration No. **P51700004552**

Along with

Complaint No. CC006000000079152

Mr. Sudhakar Pandharinath More

Mrs. Kalpana Sudhakar More

.... Complainants

Versus

M/s. Veer Maruti Developers and 9 others

.... Respondents

Project Registration No. **P51700004552**

Coram: Hon'ble Dr. Vijay Satbir Singh, Member – 1/MahaRERA

Adv. Mayuri Kadam appeared for the complainant.

Adv. Vinaya Sakpal appeared for the respondent.

ORDER

(21st November, 2019)


1. The complainants have filed these complaints seeking directions from the MahaRERA to the respondents to handover the possession of their respective flats along with all the amenities at the earliest. The complainants further prayed for interest for the period of delay under Section-18 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as "RERA") with respect to booking of their flats in the respondent's project "**Kuber Samruddhi Phase II**" bearing MahaRERA registration No. P51700004552 situated at Dombivli, Dist. Thane.



2. These complaints pertain to the same project of the respondents and hence were clubbed together and heard finally today when both the parties appeared through their respective advocates and made their submissions before the MahaRERA.
3. It is the case of the complainants that, they had booked their respective flats in the respondent's project in the year 2014. The parties have entered into registered agreements for sale in the month of March-2015. According to the provisions of the said agreements for sale the respondents were liable to handover possession of the said flats to the complainants on or before 31/05/2016, but the respondents have failed to handover the possession of their respective flats till date. The complainants further submitted that, they had paid around 30-40% of the total sale consideration for their flats as per the agreements for sale. Since the respondents failed to comply with the said agreements the complainants have filed these complaints before the MahaRERA seeking interest for delayed possession and early possession of their flats.
4. The respondents submitted that, there was delay in obtaining approvals from the concerned authorities from the year 2016. They further stated that they have paid substantial amount towards the open land tax to the authorities from 2016 till March 2019. The respondents, therefore, prayed that they may be given adequate time to complete their project as paying interest to the complainants would be deterrent to the completion of the project.
5. During the final hearing, the respondents submitted an undertaking stating that, they would complete the said project within a period of 9 months from the date of the order and handover the possession of the flats to the complainants along with occupancy certificate. Both the

parties i.e. the complainants and the respondents agreed to the same, which was taken on record.

6. In view of the said undertaking, the respondent is directed to complete the project within a period of 9 months and handover the possession of the flats to the complainants along with occupancy certificate. On failure of the respondents to complete the project in 9 months, they would be liable to pay interest to the complainant for delay.
7. In view of the above, the complaints stand disposed of.


(Dr. Vijay Satbir Singh)
Member – 1/MahaRERA

महा-रेरा