

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

1. CC006000000078781

Devang Ramesh Parekh

.... Complainant

VERSUS

Ultra Space Developers Pvt Ltd

.... Respondent

Along With

2. CC006000000079054

Suresh Bajpai

Seema Bajpai

.... Complainant

VERSUS

Ultra Space Developers Pvt Ltd

.... Respondent

Along With

3. CC006000000079056

Puneet Singhvi

Meenal Mehta

.... Complainant

VERSUS

Ultra Space Developers Pvt Ltd

.... Respondent

Along With

4. CC006000000079057

Ajay Kanwal

Nishi Kanwal

.... Complainant

VERSUS

Ultra Space Developers Pvt Ltd

.... Respondent

Along With

5. CC006000000079058

Ashish Vaidya

Rachana Vaidya

.... Complainant

VERSUS

Ultra Space Developers Pvt Ltd

.... Respondent

Reson

Along With

6. CC006000000079059

ANIL KOTHURI

ARUNA REKHA KOTHURI

.... Complainant

VERSUS

Ultra Space Developers Pvt Ltd

.... Respondent

Along With

7. CC006000000079167

Aishwarya Vishal Agarwal

Sonie Mehra

.... Complainant

VERSUS

Ultra Space Developers Pvt Ltd

.... Respondent

Along With

8. CC006000000079458

Ravi Singhvi

Shurti Thakar

.... Complainant

VERSUS

Ultra Space Developers Pvt Ltd

.... Respondent

Along With

9. CC006000000079460

Bina DeGamia

Subhas DeGamia

.... Complainant

VERSUS

Ultra Space Developers Pvt Ltd

.... Respondent

Along With

10. CC006000000089718

Leena Ajay Dasani

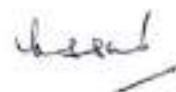
Ajay Dharamsi Dasani

.... Complainant

VERSUS

Ultra Space Developers Pvt Ltd

.... Respondent



Along With

11.CC006000000089720

Ashok Kalyanpur

Minal Kalyanpur

.... Complainant

VERSUS

Ultra Space Developers Pvt Ltd

.... Respondent

Along With

12.CC006000000089721

Vikram Uttamsingh

.... Complainant

VERSUS

Ultra Space Developers Pvt Ltd

.... Respondent

Along With

13.CC006000000089844

Rajeev P Pawar

Dimple Rajeev Pawar

.... Complainant

VERSUS

Ultra Space Developers Pvt Ltd

.... Respondent

Along With

14.CC006000000089845

Shrinath Ramanujan Iyengar

.... Complainant

VERSUS

Ultra Space Developers Pvt Ltd

.... Respondent

Along With

15.CC006000000089848

Manamar Singh Bedi

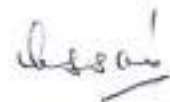
Gaganpreet Singh Bedi

.... Complainant

VERSUS

Ultra Space Developers Pvt Ltd

.... Respondent



Along With

16.CC006000000089852

Gaganpreet Singh Bedi

Manamar Singh Bedi

.... Complainant

VERSUS

Ultra Space Developers Pvt Ltd

.... Respondent

Along With

17.CC006000000089857

Shabbir Esmail Patrawala

Aliasger Esmail Patrawala

.... Complainant

VERSUS

Ultra Space Developers Pvt Ltd

.... Respondent

Along With

18.CC006000000100304

Rupen Sheth

Tejal Sheth

.... Complainant

VERSUS

Ultra Space Developers Pvt Ltd

.... Respondent

Coram: Dr. Vijay Satbir Singh, Member I/ MahaRERA.

In Sr. No. 13, complainant appeared in person.

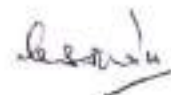
Adv. Nidhi Salian appeared for the remaining complainants.

Adv. Jaisha Sabawala appeared for the respondent.

Order

[06th August 2019]

1. The complainants in the abovementioned complaints are allottees in the project "**Insignia**" being developed by the respondent at Village Kole-Kalyan, Taluka Andheri, Santacruz(E), Mumbai bearing CTS Nos.

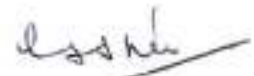


530/A, 530/A-2 & 530/A-3 having MahaRERA registration no. **P51800002313**. It is a commercial cum residential project comprising of 6 buildings having 234 flats. The complainants have executed agreements for sale between 2013 and 2018 having various dates of possession. But the respondent failed to complete the project in time and comply with the clauses of the respective agreements. The complainants have, therefore, filed these complaints under section 18 of Real Estate (Regulation & Development) Act, 2016 (Herein after referred as RERA) seeking direction from the MahaRERA to the respondent to pay interest for delayed possession and also sought early possession. The complainants also sought direction to the respondent to form a society of the allottees.

2. Since these complaints pertain to the same project, all the complaints were clubbed together and kept for hearing today. Both the parties were present along with their respective advocates. During the hearing, the complainants produced a summary sheet mentioning the details of their respective flats, payments done and the dates of possession. The same is taken on record. The complainants further brought to the notice of the MahaRERA that, the MahaRERA has already passed an order on 15th May 2019 in 44 identical complaints filed in this project. The complainants herein sought similar order in these complaints. The respondent has consented for the same.
3. The MahaRERA is of the view that, since the facts of these complaints have already been discussed in detail in earlier complaints and a reasoned order been passed on 15th May 2019, likewise in these complaints also, the MahaRERA directs the respondent to pay interest for the period of delay to the complainants on the actual amount paid by them at the rate prescribed by the MahaRERA i.e. Marginal Cost Lending Rate (MCLR) of SBI + 2%, from the dates mentioned in the

summary sheet (annexed with this order), till the actual date of possession of their respective flats to the complainants. Since the project is near completion, the amount of interest payable by the respondent to the complainants shall be adjusted with the outstanding dues payable by the complainants to the respondent and the balance shall be paid at the time of possession. The respondent is further directed to form the co-operative society of the allottees within a period of two months from the date of order.

4. With the above directions, the above complaints stand disposed of.



(Dr. Vijay Satbir Singh)

Member I/ MahaRERA



COMPLAINT NO.	NAME	FILING DATE	FLAT NO.	CARPET AREA	DATE OF POSSESSION	12 MONTH GRACE MENTIONED IN AGREEMENT	DATE OF ALLOTMENT	AGREEMENT FOR SALE	CONSIDERATION (In INR)	AMOUNT PAID (In INR)
CC00600000079056	Puneet Singvi & Meenal Mehta	27/4/2019	C - 601	128.30 sq. mtr	15/09/2016	YES	10-6-2010 Ex "C" Pg- 78	7/12/2015 Ex "E" Pg- 88	3,74,40,500	3,18,24,425 Ex "H" Pg- 279
CC006000000078781	Devang Ramesh Parekh	4/4/2019	F - 1103	167.23 sq. Mtrs	31/12/2018	NO	11/5//2010, Ex "C" Pg- 78	20/7/2018 Ex "D" Pg- 99	4,66,68,850	3,58,78,428 Ex "I", Pg- 281
CC006000000079057	Ajay Kanwal & Nishi Kanwal	27/4/2019	C - 702	97.52 sq. Mtrs	01/04/2017	YES	13/4/2010, Ex "C" Pg- 78	9/03/2016, Ex "D" Pg- 79	2,88,22,500	2,36,49,128 Ex "F" Pg- 222
CC006000000079058	Ashish Vaidya & Rachna Vaidya	27/4/2019	F-704	136.27 Sq. Mtrs	Sep-17	YES	24/05/2010 & 21/11/2015	14/09/2016 EX "E" Pg- 83	4,08,89,500	3,47,86,072 Ex "G" Pg-123
CC006000000079059	Anil Kothuri & Arunarekha Kothuri	27/4/2019	F - 702	139.68 sq. Mtrs	01/07/2017	YES	9/8/2010, Ex "C" Pg- 78	17/12/2016 Ex "D" Pg- 79	4,20,21,000	3,52,05,925 Ex "F", Pg- 267
CC006000000079167	Aishwarya Agarwal & Sonie Mehta	6/5/2019	A-802	116.04 sq. mtr	31/12/2018	NO	15/4/2010, Ex "D" Pg- 79	07/12/2018 Ex "E" Pg- 80	2,71,15,950	2,33,60,953 Ex "F" Pg- 267
CC006000000079054	Suresh Bajpai & Seema Bajpai	27/4/2019	F-1101	162.59 sq. Mtrs	28/06/2019	NO	29/6/2010, Ex "C" Pg- 78	4/2/2019 Ex "F" Pg- 85	4,48,99,000	3,80,62,999 Ex "E", Pg- 211

COMPLAINT NO.	NAME	FILING DATE	FLAT NO.	CARPET AREA	DATE OF POSSESSION	12 MONTH GRACE PERIOD MENTIONED IN AGREEMENT	DATE OF ALLOTMENT	AGREEMENT FOR SALE	CONSIDERATION (In INR)	AMOUNT PAID (In INR)
CC00600000079458	Ravi Singhvi Shruti Thakur	25/05/2019	C-502	124.97 sq. mtrs.	15th September 2016	YES	13th February 2012	20th March 2014	3,75,88,000	3,27,42,918 Ex "G" Pg-326
CC00600000079460	Bina DeGarnia, Subhas	25/05/2019	A-1204	115.09 sq. mtrs.	May-17	YES	2nd June 2010 and 30th August 2016	20th October 2016	3,39,53,000	2,95,73,322 Ex "F" Pg 171
CC00600000089718	Leena Dasani & AJAY Dasani	12/6/2019	F-804	165 sq.Mtrs	31/12/2018	NO	17th May 2010	2/11/2017 EX "D" Pg 85	4,58,61,550	3,89,16,441 Ex "F" Pg 264
CC00600000089720	Ashok Kalyanpur &Minal Kalyanpur	12/6/2019	A-503	118.6 sq.Mtrs	31/12/2018	NO	31/5/2010	14/11/2017 EX "E" Pg 99	3,44,35,150	2,92,83,988 Ex G-Pg 286
CC0060000008721	Vikram Uttam Singh	12/6/2019	F-1302	139.68 sq.Mtrs	Jul-18	YES		20/3/2017 EX "C" Pg 84	4,20,21,000	3,23,90,324 Ex "E" Pg 221
CC0060000008721	Rajeev Pawar & Dimple Pawar	24/6/2019	B-904	114.95 sq.Mtrs	15/9/2016	YES	10/6/2015	04/07/2015 EX "D" Pg 95	3,39,37,500	2,88,74,025 Ex "F" Pg 254
CC00600000089845	Shrinath Ramunujan Iyengar	25/6/2019	A-603	112.64 sq.Mtrs	15/9/2016	YES	22/6/2015	21/11/2015 EX "D" Pg 89	2,57,93,000	2,11,17,390 Ex "F" Pg 244
CC00600000089848	Mananur Singh Bedi & Gajjanpreet Singh Bedi	25/6/2019	E-1102	130.71 sq.Mtrs	Jul-17	YES	28/11/2016	31/3/2017 EX "D" Pg 92	1,94,15,046	1,38,04,875 Ex "F" Pg 230

COMPLAINT NO.	NAME	FILING DATE	FLAT NO.	CARPET AREA	DATE OF POSSESSION	12 MONTH GRACE MENTIONED IN AGREEMENT	DATE OF ALLOTMENT	AGREEMENT FOR SALE	CONSIDERATION (In INR)	AMOUNT PAID (In INR)
CC006000000089848	Gaganpreet Singh Bedi & Manmar Singh Bedi	25/6/2019	C-1303	87.57 sq.Mtrs	Jul-17	YES	28/11/2016	31/3/2017 EX "D" Pg 91	1,57,28,496	1,00,58,386 EX "F" Pg 229
CC006000000089857	Shabbir Patrawala & Aliasger Patrawala	25/6/2019	E-802	130.71 sq.Mtrs	Jul-17	YES	20/4/2010	02/02/2017 EX "D" Pg 84	3,04,23,000	2,48,65,019 EX "F" Pg 128
CC006000000100304	Rupen Sheeth & Tegal Sheeth	26/7/2017	B-1204	120.32 sq. Mtrs	31/12/2018	NO	13/4/2015	24/11/2017 EX "E" Pg 53	1,83,90,625	1,59,19,265 EX "G" Pg 231