

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

COMPLAINT NO: CC006000000001937

Pranav Mandelia ... Complainant

Versus

Patel Group & Co ... Respondent  
MahaRERA Regn.No. P51700010242


Corum: Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was represented by his father Shri Madan Mandelia  
Respondent was represented by Mr. D.Y.Deshmukh, Accounts Officer


**Order**

January 22, 2018

1. The Complainant had booked an apartment bearing No. 801/A in the Respondent's project 'Patel Colossus Phase 1' situated at, Kalyan, Thane through a booking letter sometime in 2012. The Complainant alleged that they were promised possession of the said apartment by December 2015 but the Respondent has failed to do so. Therefore, he prayed that the Respondent be directed to refund the entire amount paid by them along with interest and compensation.
2. The representative of the Respondent stated that they are willing to execute and register the agreement for sale.
3. The Complainant's father, thereafter, stated he is willing to reconsider continuing in the said project and entering into a registered agreement for sale. However, he requested that an extended time-limit may be given for the execution and registration of the agreement, as the Complainant is travelling abroad.



4. On review of the respondent's MahaRERA registration it is observed that the respondent has put December, 2021 as the revised proposed date of completion. As per the provisions of the 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 revised date of possession for an ongoing project has to be commensurate with the extent of balance development.
5. In view of the above facts, the parties are directed to execute the agreement for sale as per the provisions of section 13 of the Real Estate (Regulation and Development) Act 2016 and the rules and regulations made thereunder within 90 days, as requested by the Complainant, from the date of this Order. Further, the Respondent shall, handover the possession of the said apartment, with Occupancy Certificate, to the complainant before the period of February 28, 2021, failing which the Respondent shall be liable to pay interest, as prescribed, to the Complainant from March 1, 2021 till the actual date of possession, on the entire amount paid by the Complainant to the Respondent.
6. Consequently, the matter is hereby disposed of.

  
(Gautam Chatterjee)  
Chairperson, MahaRERA