

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000001913

Dr.Shubhada Ram Deoskar
Dr.Ram B Deoskar

... Complainants

Versus

Neepa Real Estate Pvt Ltd
MahaRERA Regn.No. P51800000918

... Respondent

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was represented by Adv. Leena Kaulgekar

Respondent was represented by Adv. Gargi Shinde

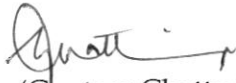
Order

January 15, 2018

1. The Complainants had booked an apartment bearing No. 103 in the Respondent's project 'VASANT OASIS LILLIUM BLDG 16' situated at, Marol, Andheri, Mumbai through an allotment letter dated April 14, 2015. The Complainants alleged that they were promised that the possession of the said apartment will be handed over to them by December 2017 but the Respondent has failed to do so. Therefore, they prayed that the Respondent be directed to refund the entire amount paid by them along with interest and compensation as per the provisions of section 18 of the Real Estate (Regulation and Development) Act 2016.
2. The advocate for the Respondent stated that they are willing to execute the agreement for sale as per the provisions of the Act.
3. During the course of the hearing the complainants were explained that relief under section 18 cannot be granted to them as there is no registered agreement for sale executed between the parties. The Complainants, thereafter, expressed their willingness to continue in the said project.



4. On review of the respondent's MahaRERA registration it is observed that the respondent has put December, 2022 as the revised proposed date of completion which is an unreasonable time period for completion of the project. 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 30 days from the date of this Order, mentioning the date of handing over possession of the said apartment, with Occupancy Certificate, to the Complainants on or before December 31, 2021,
6. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA