

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000001195

Suchita Upadhyay

...

Complainant

Versus

Neha Aggarwal

...

Respondent

MahaRERA Regn.No. P51800008947

Corum:

Shri Gautam Chatterjee, Chairperson, MahaRERA

Complainant was herself present.

Respondent was represented by Mr. Vijay Gangaramani, Representative

Order

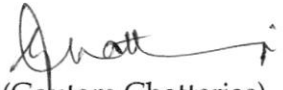
15th December 2017

1. The complainant has purchased an apartment bearing No. 2701 in the Respondent's project 'Siddhi Samarpan' situated at, Borivali, Mumbai, through a registered agreement for sale dated December 5, 2015. The complainant alleged that as per the said agreement, the area allotted was 875 sq.ft. carpet area. However, as per their own assessment the area of the apartment is found to be 646.6 sq.ft. carpet area.
2. The Respondent stated the carpet area of the said apartment is actually 806 sq.ft. and the same has been uploaded in their MahaRERA registration. Therefore, they agreed that for the shortfall area of 69 sq.ft. they would adjust the consideration amount of INR 8,86,581 against the INR 13,00,000 outstanding consideration amount that is due from the complainant to the respondent. The complainant accepted the proposal.
3. In view of the above facts, the respondent shall adjust for the shortfall area of 69 sq.ft., the proportionate amount of INR 8,86,581 against the INR 13,00,000, which is the



balance outstanding consideration amount due from the complainant to the respondent. Further, the respondent should demand the balance amount, after adjusting the above mentioned amount, from the complainant only at the time of handing over possession of the said apartment.

4. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA