

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000023586

Prakash Bhavsar

... Complainant

Versus

Housing Development and Infrastructure Ltd
MahaRERA Regn. No. P51800007809

... Respondent

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was himself present.

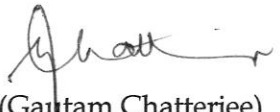
Respondent was represented by Mr. VK Madan Mohan, Authorised representative.

Order
July 25, 2018

1. The Complainant has purchased an apartment bearing no. 503-F in the Respondent's project 'WHISPERING TOWERS EFG WINGS' situated at Kurla, Mumbai via registered agreement for sale. The Complainant alleged that the date of possession as stipulated by the said agreement is long over but the Respondent has failed to handover possession of the apartment till date. Therefore, he prayed that the Respondent be directed to pay him interest, on delay, as per the provisions of section 18 of the Real Estate (Regulation and Development) Act, 2016 (*hereinafter referred to as the said Act*) and handover possession at the earliest.
2. The authorised representative for the Respondent submitted that the project could not be completed for reasons beyond the Respondent's control. Further, he submitted that the Respondent is now committing to handover possession by May 2020. The Complainant, after discussion with the Respondent, also accepted the revised timeline for delivery of possession.



3. In view of the above facts, the Respondent shall handover possession of the apartment, with Occupancy Certificate, to the complainant before the period of May 31, 2020, failing which the Respondent shall be liable to pay interest to the complainant from June 1, 2020 till the actual date of possession, on the entire amount paid by the Complainant to the Respondent. The said interest shall be at the rate as prescribed under Rule 18 of the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rate of Interest and Disclosures on Website) Rules, 2017. Balance payments of the consideration amount to be made as agreed between the parties.
4. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA