

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

COMPLAINT NO: CC005000000010777

Pravinkumar Prabhakar Karnale ... Complainant

Versus

Nandini Group Promoters and Builders ... Respondent  
MahaRERA Regn.No. P52100014245

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant represented by Mr. G.S. More, Adv.

Respondent was represented by Mr. Rahul V. Bharekar, Adv.

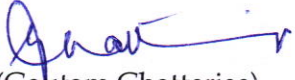
**Order**

March 21, 2018

1. Complainant has purchased an apartment bearing No. D-306 in the Respondent's project 'Nandini Orchid Phase 1' situated at Haveli, Pune via a registered agreement for sale dated 18<sup>th</sup> April 2013. Complainant alleged the Respondent was to handover possession of the said apartment by 24 months from the date of agreement, however the Respondent has failed to do so.
2. Complainant prayed the Respondent be directed to handover possession of the said apartment to them at the earliest and pay them interest as per the provisions of section 18 of the Real Estate (Regulation and Development) Act, 2016 (*hereinafter referred to as the said Act*).
3. Advocate for the Respondent argued the said project was completed in March 2014, and that most of the allottees have already taken possession. However, he submitted the Respondent is yet to receive the Occupation Certificate from the concerned local authority and that the same will be obtained in the next 30 days and will handover possession of the said apartment to the Complainant accordingly. Complainant accepted the same.



4. In view of the above facts, the respondent shall, therefore, handover possession of the said apartment along with the amenities as registered, with Occupancy Certificate, to the complainants before the period of April 30, 2018, failing which the respondent shall be liable to pay interest to the complainant from May 1, 2018 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. No further payments due from the Complainant.
5. Consequently, the matter is hereby disposed of.

  
(Gautam Chatterjee)  
Chairperson, MahaRERA