

**BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY,
MUMBAI**

COMPLAINT No: CC006000000023616

Mrs. Smita Cloyed Satam

Versus

..... Complainant

M/s. Nirmal Lifestyle Limited

MahaRERA Registration No. P51700003212

..... Respondent

Coram: Hon'ble Dr. Vijay Satbir Singh, Member -1

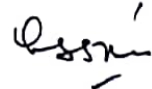
Mr. Cloyed Satam, husband of the complainant appeared in person.

Mr. Rohit Chavan a/w. Mrs Vaishali Mohite appeared for the respondent.

Order

(5th June, 2018)

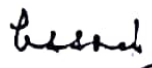
1. The complainant has filed this complaint seeking directions from this Authority to the respondent to pay interest and compensation under Section-18 of the Real Estate (Regulation & Development) Act, 2016 for the delayed possession in respect of booking of a flat bearing Flat No. 304, having carpet area of 474 sq.ft., on 3rd floor of the building in the project known as "Victory- A", bearing MahaRERA registration No. P51700003212 at Shahad, Taluka Kalyan, Dist. Thane.
2. During the hearing, the complainant stated that he has purchased a flat bearing No. 304, in the respondent's project by executing an agreement for sale dated 20-09-2010 duly registered. As per clause No. 16 of the said agreement, the respondent was liable to handover possession of the flat to the complainant in December, 2012 with grace period of 3 months i.e. by



31st March, 2013. However, till date, the possession is not handed over to the complainant. Hence, the complainant has prayed for interest for the period of delay.

3. The respondent has stated that he could not hand over the possession of the flat to the complainants for the reasons which were beyond their control. However, he is ready to pay interest to the complainant from 1st May, 2017 as per the provisions of Real Estate (Regulation & Development) Act, 2016 and the Rules made there under till the actual date of possession i.e. 31st July, 2018. Accordingly, the respondent has submitted a written undertaking and accepted by the complainant. The same is taken on record.

4. Accordingly, the complaint stands disposed of.


(Dr. Vijay Satbir Singh)
Member -1, MahaRERA