

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC00600000023902

Vaibhavi Rane ... Complainant

Versus

Right Channel Construction Pvt Ltd
MahaRERA Regn. No. P51800009510 ... Respondent

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was herself present.

Respondent was represented by Mr. Akhilesh Pandey, authorised representative.

Order

May 28, 2018

1. The Complainant has entered into a registered agreement for sale (*hereinafter referred to as the said agreement*) on September 2, 2016 to purchase an apartment bearing No. 1303, in the Respondent's project 'Vrindavan' situated at Borivali, Mumbai. The Complainant has stated that the date of possession as stipulated by the said agreement was June 2017 and that the Respondent has failed to hand over possession of the said apartment till date. Therefore, she prayed that the Respondent be directed to pay her 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*).
2. The Respondent explained how the construction work of the project could not be completed because of reasons which were beyond the Respondent's control and well stipulated for in the said agreement. Further, he submitted that the project is nearing completion and the Respondent is now committing to handover possession of the said apartment by August 31, 2018.

3. In view of the above facts, the Respondent shall, therefore, handover the possession of the said apartment, with Occupancy Certificate, to the Complainant before the period of August 31, 2018, failing which the Respondent shall be liable to pay interest to the Complainant from September 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.
4. Consequently, the matter is hereby disposed of.



(Gautam Chatterjee)
Chairperson, MahaRERA