

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

COMPLAINT NO: CC006000000000782

Prapti Vijaykumar Malhotra

... Complainant

Versus

Sankalp Siddhi Developers Pvt Ltd  
MahaRERA Regn.No. P51800007725

... Respondent

Corum:

Shri Gautam Chatterjee, Chairperson, MahaRERA

Complainant was herself present.

Respondent was represented by Miss. Christine Rewrie, Advocate

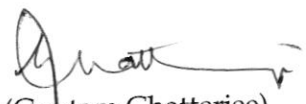
**Order**

15<sup>th</sup> December 2017

1. The complainant has booked an apartment bearing No. A- 1801 in the Respondent's project 'LAMOR' situated at, Oshiwara, Mumbai through an allotment letter and the possession date was of February, 2016 with a six months' grace period. The complainant alleged that the possession of the said apartment has been delayed for over 12 months.
2. On the first date of hearing, on November 23, 2017, the parties sought time to settle the matter amicably.
3. On the second date of hearing, the parties stated that they could not reach to a consensus.
4. Complainant has paid 65% of the total consideration of the said apartment, till date. The respondent has put the revised proposed date of completion as July 31, 2022 in its MahaRERA registration.



5. We feel that the respondent should handover the possession of the said apartment to the complainant before the period ending December 2019, which is a reasonable time for completion of the pending work in the project along with OC and the same is also commensurate with the extent of development work pending, in accordance with Rule 4(2) of the Maharashtra Real Estate (Regulation and Development)(Registration of Real Estate Projects, Registration of Real Estate Agents, Rates of Interest and Disclosures on Website) Rules, 2017.
6. In view of the above facts, the parties are directed to execute and register the agreement for sale as per the provisions of section 13 of the Real Estate (Regulation and Development) Act 2016 and the rules and regulations made thereunder within 45 days from the date of this Order. Further, the respondent shall handover possession of the said apartment, with Occupancy Certificate, to the complainant before the period ending December 31, 2019, failing which the respondent shall be liable to pay interest to the complainant from January 1, 2019 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.
7. Consequently, the matter is hereby disposed of.

  
(Gautam Chatterjee)  
Chairperson, MahaRERA