

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000012384

Surya Rawka ... Complainant

Versus

East and West Builders ... Respondent
MahaRERA Regn.No. P51900011167

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was himself present.

Respondent was represented by Mr. Subit Chakrabarti, Adv., Ms. Neha Joshi, Adv (i/b Vidhii Partners)

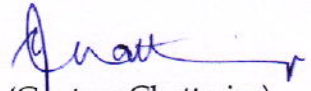
Order

February 20, 2018

1. The Complainant has booked an apartment bearing No. 2103-B in the Respondent's project 'RNA Metropolis' located at Sewri, Mumbai through an allotment letter dated October 11, 2010. The Complainant alleged that in spite of having paid 25% of the consideration amount for the said apartment, the Respondent has failed to execute and register the agreement for sale. Therefore, the Complainant prayed the Respondent be directed to execute and register the agreement for sale and to commit to a timeline for handing over possession of the said apartment. Further, he prayed he be paid interest by the Respondent on the amounts paid by him from date of allotment till possession. Complainant also sought clarity about the consideration amount to be paid for the said apartment.
2. The advocate for the Respondent stated that they are willing to execute the agreement for sale and that the consideration amount for the said apartment remains the same as stated in the said allotment letter.



3. On review of the Respondent's MahaRERA registration it is observed that the Respondent has put December, 2022 as the revised proposed date of completion. As per the provisions of the Rule 4 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 the revised date of possession for an ongoing project has to be commensurate with the extent of balance development. During the course of hearing, both the parties agreed that May, 2022 will be a reasonable timeline for completion of the project.
4. 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 30 days from the date of this Order. The Respondent shall handover possession of the said apartment, with Occupancy Certificate, to the complainants before the period ending May 31, 2022. Consideration amount for the said apartment to remain the same as mentioned in the said allotment letter.
5. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA