

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

COMPLAINT NO: CC006000000055282

Shweta Chawathe

...

Complainant

Versus

T Bhimjyani Realty Pvt. Ltd.

MahaRERA Regn. No. P51700004591

...

Respondent

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was herself present.

Respondent was represented by Ms. Sonam Singh, Adv.

**Order**

September 6, 2018

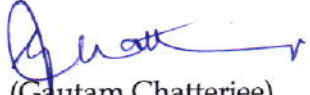
1. The Complainant has purchased apartment bearing no. 504-B in the Respondent's project 'Neelkanth Woods Olivia' situated at Majiwade, Thane via registered agreement for sale in November, 2014. The Complainant has alleged that the date of possession as stipulated by the said agreement is long over and therefore prayed that since the Respondent has failed to hand over the possession of the apartment within the stipulated period, they be directed to pay 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 Complainant also submitted the Respondent has collected payments towards terrace slab and external plastering much earlier than the starting of the actual work.
3. The Learned Counsel for the Respondent submitted that the Respondent in Complaint no: CC006000000012658 filed against the said project has already committed to handover possession by May, 2019 and that the same timeline for delivery of possession be made applicable to the present complaint too.



4. In view of the above facts:

- i. the Respondent shall handover possession of the said apartment before the period of May 31, 2019, failing which the Respondent shall be liable to pay interest, as per MahaRERA rules, from June 1, 2019 till the actual date of possession, on the entire amount paid by the allottees to the Respondent.
- ii. the Respondent is liable to pay interest to the Complainant for the payments not due, yet collected, from the date on which such payments were collected. The said interest shall be till May 31, 2019 and shall be setoff/adjusted towards the balance money payable by the allottees.

5. Consequently, the matter is hereby disposed of with the above directions.

  
(Gautam Chatterjee)  
Chairperson, MahaRERA