

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000000508

Surekha Tushar Gaikwad

...

Complainant

Versus

M/s. Universal Infra Developers
MahaRERA Regn: P51700004362

...

Respondent

Coram

Hon'ble Shri Gautam Chatterjee, Chairperson

10th October 2017

Order

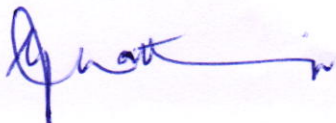
Complaint was pleaded by the complainant himself.

Respondent was represented by Mr. S.M.Shivayogimath, Partner and Ritika Agarwal, Adv.

The Complainant had booked an apartment in the respondent's project 'Universal Infra Developers' having MahaRERA Regn No. P51700004362 under a registered agreement for sale dated 27th November 2013.

The complainant has alleged that the respondent had agreed to give the possession of the said apartment on or before 30th October, 2014, however, till date the possession has not yet been received. Moreover, the respondent has put a revised proposed date of completion on MahaRERA website, as 31st March 2018. Therefore, the complainant prayed for earlier possession, compensation of instalments paid by them till the possession and the interest on the amount which was paid to the Respondent.

The respondent explained the reasons, beyond his control, due to which the completion of the project has got delayed. Further he submitted that he has applied for Occupation Certificate and the same is expected in 45 days. Therefore, he is ready to give possession

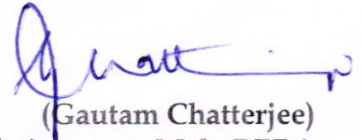


to the complainant on or before 30th November, 2017, on the complainant paying the balance amount of consideration of the apartment. The respondent also agreed to waive the interest levied by him on the complainant for delayed payment of instalment.

The complainant and respondent mutually agreed to the revised possession date of 30th November 2017.

In view of the aforesaid facts, the respondent is directed to handover the possession of the said apartment to the complainant before the period ending November 2017, failing which the respondent shall be liable to pay interest to the complainant from 1st December 2017 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 of the State Bank of India highest Marginal Cost of lending Rate prevailing at such time plus two percent, as prescribed under Rule 18 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.

Consequently, the matter is hereby disposed off.



(Gautam Chatterjee)
Hon'ble Chairperson, MahaRERA