

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO. CC006000000079392

Rajesh Dayanidhi Panigrahi

...

Complainant

Versus

Ladam Homes Pvt Ltd.
MahaRERA Regn. No. P51800002692

...

Respondent

Corum: Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was himself present.

Respondent was represented by Mr. Nihant Panicker, Adv.

Order

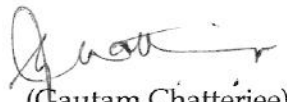
September 05, 2019

1. The Complainant has purchased an apartment bearing no.83 in the Respondent's project 'Kashish Park Ghatkopar' situated at Ghatkopar, Mumbai via a registered agreement for sale in June 2015. The Complainant has alleged that the date of possession as stipulated by the said agreement is long over. Therefore, he prayed *inter alia* that since the Respondent has failed to hand over the possession of the apartment within the stipulated period, he 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 learned Counsel for the Respondent explained that the construction work of the project could not be completed because of reasons which were beyond the Respondent's control. Further, he submitted that the project is now nearing completion.
3. The Complainant submitted vide application dated June 17, 2019 that the Respondent has committed to handover possession by September, 2019 and will pay them interest at the time of handing over possession, therefore he does not insist that the Respondent pay them interest for the delayed possession, immediately. Further, via email dated August 19, 2019, he has submitted that if he does not see the efforts of the Respondent towards the revival and consequent completion of the project or even otherwise, he should be granted liberty to avail the provisions



of section 18 of the Real Estate (Regulation and Development) Act, 2016 and the rules and regulations made thereunder, at an appropriate stage.

4. In view of the above facts, the Complainant is granted liberty to seek remedy, as per the provisions of section 18 of the Real Estate (Regulation and Development) Act, 2016 and the rules and regulations made thereunder, at an appropriate stage, which includes even after the said project has obtained occupancy certificate.
5. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA