

**THE MAHARASHTRA REAL ESTATE REGULATORY
AUTHORITY, MUMBAI.
COMPLAINT NO: CC006000000057641**

Maninderpal Singh Anand

... Complainants.

Versus

Kashi Homes Pvt Ltd
(Kashihomes)

... Respondents.

MahaRERA Regn: **P52000002764.**

Coram: Shri B.D. Kapadnis,
Hon'ble Member & Adjudicating Officer.

Appearance:
Complainants: Adv.Dinesh Mishra.
Respondents: Absent (ex parte).

FINAL ORDER
20th February 2019.

The complainant booked flat no. 301, 3rd floor, building No.A of the respondents' registered project 'Sai Siddhi' situated at Khopoli, Taluka Khalapur. The respondent agreed to hand over the possession of the flat on or before 2nd April, 2014. However, they have failed to hand over the possession on the agreed date. The complainant wants to continue in the project but claims interest on his investment for every month of default till getting the possession of the flat under Section 18 of RERA.

2. The respondents have failed to appear despite the service of notice marked Exh. 'B', hence, the complaint proceeds ex parte against them.



3. The complainant has produced the copy of the agreement for sale showing that the respondents agreed to give possession of the flat on or before 2nd April, 2014. The respondents have failed to hand over the possession of the flat on agreed date.

4. The complainant has produced the receipt passed by respondents showing the payment made by him towards the consideration of the flat. It is marked Exh.'A'. It shows that the complainant paid the respondents Rs. 21,00,000/- towards the consideration prior to the agreed date of possession and hence, he is entitled to get interest at prescribed rate on his investment from 03.04.2014 till receiving the possession of the flat.

5. The prescribed rate of interest is 2% above the SBI's highest MCLR which is currently 8.55%. Hence, the respondents are liable to pay the interest at the rate of 10.55% on his investment together with Rs. 10,000/- towards the cost of the complaint. Hence, the following order.

ORDER

The respondents shall pay the complainant simple interest at the rate of 10.55% per annum on complainant's investment of Rs. 21,00,000/- from 03.04.2014 till handing over the possession of the booked flat.

The respondents shall pay the complainant Rs. 10,000/- towards the cost of the complaint.

Mumbai.

Date: 20.02.2019.



(B. D. Kapadnis)
Member & Adjudicating Officer,
MahaRERA, Mumbai.