

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

COMPLAINT NO: CC00600000023027

Kumar Deorao Kadam and others ... Complainants

Versus

Lodha Buildcon Pvt Ltd (Lodha Developers Pvt Ltd)  
MahaRERA Regn. No. P51700001517 ... Respondent

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

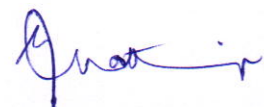
Complainants were themselves present.

Respondent was represented by Mr. Sunilraja Nadar, Adv.

**Order**

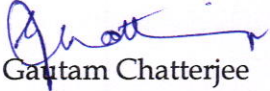
July 20, 2018

1. The Complainants have booked an apartment bearing no. 2904 in the Respondent's project 'Casa Royale - Grande' situated at Mahalaxmi, Mumbai. The Complainants alleged that at the time of booking, the parties had agreed to a specific payment plan but the Respondent has failed to adhere to the same and has levied interest on delayed payments. Further, they alleged that the Respondent has also sent termination notices and has failed to execute and register the agreement for sale and hand over possession till date. Therefore, the Complainants prayed that the Respondent be directed to refund the amount paid along with interest.
2. The learned counsel for the Respondent submitted that the Respondent has on multiple occasions followed up with the Complainants to execute and register the agreement for sale but the Complainants have failed to do the same. Further, he submitted that since the apartment is ready for possession and that the Respondent has already obtained the occupation certificate for the same, a time bound payment



plan and not construction linked payment was agreed between the parties. Finally, he submitted the Respondent is willing to execute and register the agreement for sale provided the Complainants are willing to make the payments.

3. The Complainants submitted that they are willing to execute and register the agreement for sale provided the Respondent is willing to reconsider the delayed interest charges levied on him. Further, the Complainants requested that an extended timeline of 45 days be given to execute and register the agreements for sale. The learned counsel for the Respondent submitted that the Respondent is willing to reconsider the same without prejudice to his rights, in case the negotiations fail.
4. In view of the above, the parties are directed to execute and register the agreements 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 45 days from the date of this Order.

  
Gautam Chatterjee  
(Chairperson, MahaRERA)