

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000022984

Shubha Shetty ... Complainant

Versus

AAP Realtors Ltd.. ... Respondent
MahaRERA Regn.No. P51800004278

Coram:
Shri Gautam Chatterjee, Chairperson, MahaRERA

Complainant present herself.
Respondent represented by B.M.Jain, Advocate


Order

28th February 2018

1. The Complainant has purchased an apartment bearing No. 302 in the Respondent's project 'Tirumala Habitats' located at Mulund, Mumbai through a registered agreement for sale executed on 9th September 2012. The date of possession in the registered agreement was mentioned as 31st December 2015.
2. The Complainant stated that, she has paid nearly 90 % of the total consideration amount, however, till date the possession has not be received from the Respondent.
3. The advocate for the Respondent argued that construction work is nearing completion and they are applying for Occupation Certificate in near few months. The Respondent further explained how the delay in completion of the project has happened due to mitigating circumstances beyond his control. They stated that they will hand over the apartment in another six months, which was acceptable to the Complainant.



4. In view of the above, the respondent shall, therefore, handover the possession of the said apartment, with Occupancy Certificate, to the complainant before the period of 31st August 2018, failing which the respondent shall be liable to pay interest to the Complainant from 1st September 2018 till the actual date of possession, on the entire amount paid by the Complainant to the Respondent. The said interest shall be as prescribed under Rule 18 of the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rate of Interest and Disclosures on Website) Rules, 2017
5. We further direct that, Respondent may raise the demand of the balance outstanding consideration amount, only at the time of possession of the said apartment.
6. With the above directions, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA