

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000012105

Rohit Vijay Madan ... Complainant

Versus

Propel Developers Private Limited ... Respondent
MahaRERA Regn.No. P51800000271

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was represented by Mr. Anwar Landge, Adv.

Respondent was represented by Mr. Abir Patel, Adv., (Wadia Gandhi & Co.)


Order

February 27, 2018

1. The Complainant has entered into a registered agreement for sale (*hereinafter referred to as the said agreement*) on November 27, 2013 to purchase an apartment bearing No. 707-(5F) in the Respondent's project 'RUNWAL GREENS Wings 5 - 8' located at Nahur, Kurla. The Complainant alleged that the Respondent was to handover possession of the said apartment by December 2015 pursuant to the said agreement. Therefore, the Complainant has prayed that the Respondent be directed to pay him interest for the delayed possession.
2. The advocate for the Respondent argued and explained that the construction work of the project is delayed because of mitigating circumstances which were beyond the Respondent's control. Further, he submitted that the Respondent will handover possession of the said apartment by March 2018. The Complainant accepted the possession date of March 2018.



3. In view of the above facts, the Respondent shall, therefore, handover possession of the said apartment, with Occupancy Certificate, to the Complainant before the period of March 31, 2018, failing which the Respondent shall be liable to pay interest to the Complainant from April 1, 2018 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 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. The Respondent shall not demand any further payments from the Complainant towards the consideration amount for the said apartment.
4. Consequently, the matter is hereby disposed of.



(Gautam Chatterjee)
Chairperson, MahaRERA