

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

COMPLAINT NO: CC006000000000878

Nikhil Chopra ... Complainant.

Versus

Hemant Vinaykant Parikh ... Respondent.  
MahaRERA Regn: P51800011517

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

Complainant : Present in person.

Respondent: Represented by Advocate Mr. M.V. Sampat.

15<sup>th</sup> November 2017

**Final Order**

The Complainant has booked flat No. 1002 in the A- Wing of Vicenza project of the Respondent situated at Vikhroli (East). The Respondent agreed to give possession of the said flat on or before September 2014 but failed to give it as agreed. Therefore, he claims Rs.18,00,000/- paid by him to the Respondent with interest and/or compensation under Section 18 of the Real Estate (Regulation and Development) Act, 2016.

When the possibility of amicable settlement has been explored, both the parties have arrived at the settlement. For the best reason known to them, they have not filed written consent terms but they have disclosed the terms and conditions settled among them. They have requested me to pass the order in accordance with those terms and conditions. Hence the following order.

**ORDER**

The Respondent shall pay the Complainant Rs. 18,00,000/- with the interest at the rate of 9 % per annum from May 2014 till 30<sup>th</sup> April 2017



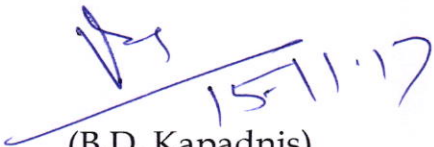
and thereafter the interest shall be at the rate of 10.15 % per annum from 1<sup>st</sup> May 2017 till its realisation.

The Respondent shall re-pay the amount in three equal instalments. The first instalment shall be due on 1<sup>st</sup> December 2017, the second will be due on 1<sup>st</sup> January 2018 and the third will be due on 1<sup>st</sup> February 2018. The Respondent shall pay the Complainant Rs. 10,000/- towards the cost of the complaint.

On satisfaction of the entire claim, the Complainant shall return the original letter of allotment to the Respondent and shall execute the necessary documents regarding cancellation of the booking. The Respondent shall bear its cost.

Mumbai.

Date: 15.11.2017.

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