

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000012427

Amey Kadu

...

Complainant

Versus

Sheth Infraworld Private Limited
MahaRERA Regn.No. P51800000882

...

Respondent

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

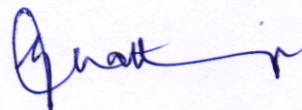
Complainant was himself present

Respondent was represented by Ms. Pragati Malle, Adv.

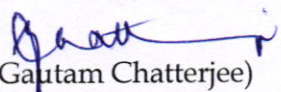
Order

January 15, 2018

1. Complainant has booked an apartment bearing No. A2 - 902 in the Respondent's project 'SHETH MIDORI' situated at Dahisar, Mumbai through an allotment letter dated November 19, 2014 and even though he has already paid an amount exceeding 10% of the total consideration for the said apartment no agreement for sale has been executed till date. Further, he alleged the Respondent, with a malafide intention, has via termination letter dated 30th November, 2017 cancelled the allotment for the said apartment. Therefore, the complainant prayed the Respondent be directed to execute and register the agreement for sale for the said apartment and handover possession of the same at the earliest.
2. The advocate for the Respondent, while explaining the reasons for cancellation of the booking due to delayed payment, stated that they are willing to execute and register the agreement for sale.



3. In view of the above facts, the parties are directed to execute and register the agreement 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 30 days from the date of this Order. Further, the Respondent shall handover the possession of the said apartments, with Occupancy Certificate, to the complainant before the period of December 31, 2018, failing which the Respondent shall be liable to pay interest to the complainant from January 1, 2019 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.
4. The Complainant shall make payments totalling to 70% of the principal consideration amount for the said apartment, at the time of execution and registration of the said agreement, since the construction work of the project has reached that stage. No interest to be levied on the Complainant for delayed payments till date. Further payments to be according to the payment schedule stated in the said agreement.
5. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA