

**BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY,
MUMBAI**

Complaint No.CCoo6000000089906

Mr. Vishal anmant Phalke & Ors.

.... Complainants

Versus

M/s. Shadow Builders & Developers Pvt. Ltd.

.... Respondent

Project Registration No. **P52000007231**

Coram: Dr. Vijay Satbir Singh, Hon'ble Member – 1/MahaRERA

Mr. Parth Chande for the complainant.

Mr. Suhas appeared for the respondent.

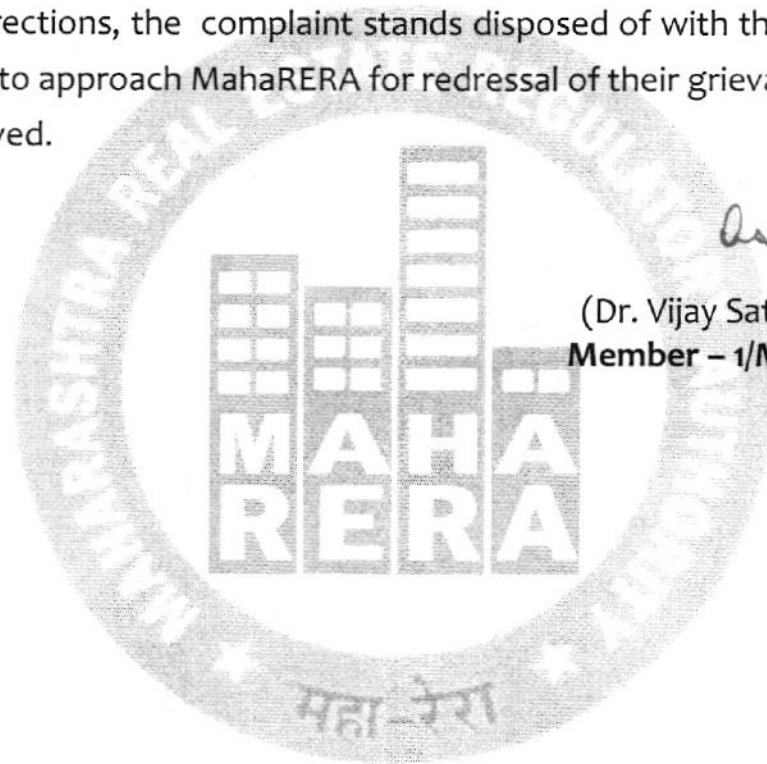
ORDER


(20th January, 2020)

1. The complainants have filed this complaint seeking directions to the respondent to handover possession of a flat along with interest for the delayed possession under section-18 of the Real Estate (Regulation & Development) Act, 2016 (hereinafter referred to as "RERA") in respect of booking of their respective flats in the respondent's project known as "Apollo 2" bearing MahaRERA registration No. **P52000007231** at Kharghar.
2. This complaint was heard on several occasions and the same was heard finally today. During the hearing, both the parties appeared and made their respective submission.
3. It was noticed that according to the information available on the MahaRERA website, the validity period of the said project has already lapsed on 31-12-2019. Further, the respondent has not the occupancy certificate granted by the competent authority. It, prima facie, shows that the project is still incomplete.
4. In this regard, the MahaRERA is of the view that the promoter of such project should apply to MahaRERA for extension of the project. He should also form an association of allottees under section 11(4)(e) of the RERA and share project related information with the allottees. If the promoter is unable to complete the project, then the association can contemplate action under sections- 7 & 8 of RERA.

lsy

5. In view of the above facts, the respondent is directed to approach MahaRERA for extension of the project period or take any other action to revive the project giving a definite timeline for its completion. The respondent is further directed, to enable the formation of association of allottees, share the contact details of all allottees with the complainants and other allottees. The respondent is also directed to upload the Annual Audit Report of Statutory CA – Form-5 for Financial Year 2017-2018 and Financial Year 2018-2019. The registration bench of MahaRERA can also take appropriate action under sections- 7 & 8 or other provision of RERA.
6. With these directions, the complaint stands disposed of with the liberty to the complainants to approach MahaRERA for redressal of their grievances after the project is revived.




(Dr. Vijay Satbir Singh)
Member – 1/MahaRERA