

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

Complaint No. CC00600000090168

Mrs. Alka Thakkar & Mr. Harsh Thakkar Complainants

Versus

M/s. L & T Parel Project LLP & 3 Ors. Respondents

Project Registration No. **P51900004544**

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

The complainant appeared in person.

Adv. Aparna Arya appeared for the respondent.

ORDER

(5th December, 2019)

1. The complainants have filed this complaint seeking directions to the respondents to pay interest for the delayed possession under the provision of section-18 of the Real Estate (Regulation & Development) Act, 2016 (hereinafter referred to as "RERA") from 1-09-2017 till 18-06-2018 in respect of booking of a flat in the respondent's project known as "**Crescent Bay - T5**" bearing MahaRERA registration No. P51900004544 at Sewree, Mumbai.
2. This complaint is heard finally today, when both the parties appeared and made their submissions. However, during the hearing, it has informed to MahaRERA that the respondents have obtained occupancy certificate for the flat of the complainants on 15-03-2018 and the possession of the flat has been handed over to the complainants on 18-06-2018. After taking possession of the flat, the complainants have filed this complaint on 30-08-2019, i.e. after one year.
3. Considering the said facts brought to the notice of MahaRERA, the MahaRERA is of the view that the claim of the complainants for interest under section-18 of the RERA can not be considered since the complainants have already taken

possession of their flat in the month of August, 2018 and after taking possession of the flat the present complaint has been filed seeking relief under section-18 of the RERA. Moreover, the project is complete and occupancy certificate has already been obtained in the month of March, 2018 itself. Hence, the provision of section-18 of the RERA can not apply to the present complaint.

4. In view of the aforesaid facts, the complaint is not maintainable and therefore, the same stands dismissed.



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



महा-रेरा