

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000012339

Vinay Bhat
Vrushali V Bhat

... Complainants

Versus

Wadhwa Realty Pvt Ltd.
MahaRERA Regn.No. P51800001912

... Respondent

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainants themselves present

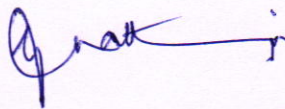
Respondent was represented by Adv. Sanjay Gavkar

Order

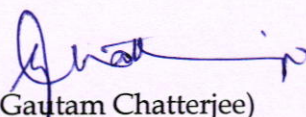
February 6, 2018

1. The Complainants have booked an apartment bearing No. 2007-E in the Respondent's project 'Anmol Fortune - III' situated at Goregaon, Mumbai through an allotment letter dated November 17, 2014. The Complainants alleged that they have promised possession of the said apartment within three years but the Respondent has failed to do so. Further, they alleged that in spite of having paid substantial consideration amount of the said apartment, the Respondent has failed to execute and register the agreement for sale. Therefore, they prayed that the Respondent be directed to execute and register the agreement for sale and complete the project in a time bound manner.
2. The advocate for the Respondent stated that they are willing to execute the agreement for sale.
3. On review of the respondent's MahaRERA registration it is observed that the respondent has put December, 2021 as the revised proposed date of completion which is an unreasonably long time period for completion of the project, as per the provisions of the Rule 4 of the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rates of Interest and Disclosures on Website) Rules, 2017.

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4. 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. The Respondent shall handover possession of the said apartment, with Occupancy Certificate, to the complainants before the period ending May 31, 2020, failing which the respondent shall be liable to pay interest to the Complainants from June 1, 2020 till the actual date of possession, on the entire amount paid by the Complainants 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. Both parties have agreed to the revised timeline of handing over possession of the said apartment.
5. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA