

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC00600000001201

Gautamchand Salecha ... Complainant

Versus

Goodtime Real Estate Development Private Limited ... Respondent
MahaRERA Regn.No. P51900000642

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant represented by Mr. Dhanesh Salecha, Representative

Respondent was represented by Ms. Rasika Waskar, Authorised Signatory


Order

March 21, 2018

1. Complainant has booked an apartment bearing No. 2804-B in the Respondent's project 'Salsette 27' situated at Dr. Ambedkar Road, Byculla, Mumbai 400 027 through booking form dated 28th October 2016. Complainant alleged the Respondent has revised the timeline for handing over possession of the said apartment and therefore he does not intend to continue in the said project. Therefore, he prayed the Respondent be directed to refund the amount paid with interest.
2. The advocate for the Respondent stated that they are willing to execute the agreement for sale, however, he submitted that there are payments due from the Complainant and that the Complainant ought to make the said payments at the time of registering. Complainant also expressed their willingness to continue in the said project, however he submitted the interest being charged by the Respondent for the said payments is not reasonable. Both parties sought time to resolve their dispute amicably.



3. On the next date of hearing, on March 19, 2018, parties informed that they were yet to resolve their differences pertaining to the said interest, however, they are willing to have it resolved amicably. Complainant also submitted the timeline of possession mentioned by the Respondent in their registration webpage is unreasonable.
4. On review of the respondent's MahaRERA registration it is observed that the respondent has put December, 2022 as the revised proposed date of completion which is an unreasonable 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 the revised date of possession for an ongoing project has to be commensurate with the extent of balance development.
5. In view of the above facts, the parties are directed to execute 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 complainant before the period ending March 31, 2022, failing which the respondent shall be liable to pay interest to the complainant from April 1, 2022 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. Complainant to pay the amounts due to the Respondent at the time of registration.
6. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA