

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC00600000000988

Anil Parchha ... Complainant


Versus

Kapstone Constructions Pvt. Ltd. ... Respondent
MahaRERA Regn.No. P51700001060

Order

13th November 2017

1. The complainant entered into an agreement for sale on 16th March 2013 to purchase an apartment in Respondent's above mentioned Project, Registration No. P51700001060. The date of possession was 30th June 2016. However, till date the complainant has not received the possession. Moreover, the Respondent has put a revised date of completion on MahaRERA website as 30th March 2019. The complainant has filed this complaint seeking directions to the Respondent for handing over early possession and interest on the amount which he has paid.
2. The Complainant was absent for the first hearing held on 11th October 2017. For Respondent Shri Srivals Kumar, Authorised Signatory was present. The matter was adjourned to 25th October 2017 when both the parties were present and requested for an adjournment to settle the matter amicably.
3. During the hearing on 13th November, the Respondent stated that the project is nearing completion and they would be able to handover the possession of the said apartment by the end of February, 2018. The complainant agreed to the said date of possession.
4. The respondent shall, therefore, handover the possession of the said apartment to the complainant before 28th February 2018, failing which the respondent shall be liable to pay interest to the complainant from 1st March 2018 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 of the State Bank of India highest Marginal Cost of Lending Rate prevailing at such time plus two percent, 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.
5. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA