

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

COMPLAINT NO : CC00600000001931

Ajay Lunia .... Complainant

COMPLAINT NO : CC00600000001964

Ajay Lunia .... Complainant

Versus

Neepa Real Estates Pvt. Ltd. .... Respondent  
MahaRERA Regn.No. P51800000921

Coram:  
Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was himself present.  
Respondent was represented by Adv. Gargi Shinde

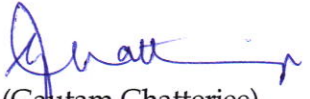
**Order**

22<sup>nd</sup> January 2018

1. The Complainant has alleged that he has booked two apartments bearing No. 203 and 204 in 'Cambelia Building, A-Wing' in the Project name 'Vasant Oasis' situated at Marol, Andheri (East), Mumbai, of the said Respondent, by Allotment letter dated 19<sup>th</sup> March 2016. The Complainant has further claimed that as per the Cost Sheet, the date of possession was December, 2018; however, the Respondent has put a revised proposed date of possession as 31<sup>st</sup> December 2022 on MahaRERA website and also disclosed that there are three litigations pending in the project. At the time of booking of apartments, the Respondent has not disclosed the information of litigations pending against him. Therefore, the Complainant wants to withdraw from the Project and requests for refund of money, he has paid, with interest.



2. The Respondent argued that the construction work of the Project is in full swing and he is ready to enter into registered agreement for sale with the Complainant as per RERA model form of agreement with a possession date which is put on the MahaRERA website i.e. 31<sup>st</sup> December 2022. He added that he will try to handover the possession to the Complainant by December 2021, with Occupation Certificate.
3. The Respondent further argued that he has already made a correspondence with the Complainant for payment of stamp duty and registration of agreement for sale as per law; however, the Complainant is not showing interest to register the agreement for sale.
4. The Complainant stated that, he has paid significant amount to the Respondent against both the booked apartments and if the Respondent is ready to hand over the possession of the said apartments by December 2019, he is ready to execute the registered agreement.
5. In view of the above facts, the parties, if the Complainant is willing, 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 45 days from the date of this Order. The date of possession, with OC, in the said agreement should be the period ending December 2020, which is a reasonable period as per 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.
6. Consequently, the matter is hereby disposed of.

  
(Gautam Chatterjee)  
Chairperson, MahaRERA