

BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY,  
MUMBAI

Complaint No. CC00600000055833

Rajesh Ballamwar

..... Complainant

**Versus**

Modella Textile Inds. Ltd.

..... Respondent

**Project Registration No. P51700005281**

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

The complainant appeared in person.

Adv. Tushar Kadam i/b MDP & partners alongwith Vaishali Mohite for the respondent.

**ORDER**

(14<sup>th</sup> May, 2019)

1. The complainant is an allottee of the respondent in respect of flat no. 604, E wing admeasuring 1474.32 sq. ft. carpet area on the 6<sup>th</sup> floor, in the project known as "Sports City" situated at Panchpakhadi, Thane.
2. It is the case of the complainant that total amount of Rs.35,09,646/- was paid to the respondent during the period from 08.10.2014 upto 29.12.2015. The agreed date of possession as per condition no.19 in the allotment letter dated 14.11.2015 was 31.12.2018. It was also mentioned therein that the respondent will compensate towards the rent from 01.01.2019 onwards till the date of possession at the rate of Rs.60,000/- per month. Hence, the complainant is claiming interest at the rate of Rs.60,000/- from that date till the date of possession. It is pertinent to note that there is no agreement executed between the parties.
3. The complainant himself placed on record a copy of letter dated 15.12.2014 from the respondent asking him that he was required to pay Rs.1 crore by 08.11.2014 and Rs.50 lakhs on or before 05.01.2015.

4. The above transaction was much prior to the date of coming into effect the provisions of the Real Estate (Regulation and Development) Act, 2016. Moreover, no reliefs in respect of payment can be granted to the complainant unless the agreement between the parties is executed and registered. The parties are therefore directed to register the agreement within a period of one month from the date of this Order.
5. With above directions, this complaint stands disposed of.



**Dr. Vijay Satbir Singh**  
**Member – 1/MahaRERA**