

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC00600000056058

Sanjay Jayendra Singh ... Complainant

Versus

Macrotech Developers Limited ... Respondent
MahaRERA Regn. No. P51700012991

Corum: Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was himself present.
Respondent was represented by Adv. Nehal Shah.


Order

February 24, 2020

1. The Complainant has stated that he has purchased an apartment bearing no: 801-1 in the Respondent's project 'Lodha Mira Road Project 1' situated at Mira Road, Thane via registered agreement for sale. Further, he submitted that the Respondent did not inform him about the pending legal issues pertaining to the project land and therefore he now wants to withdraw from the said project. Therefore, the Complainant has prayed that the Respondent be directed to refund the amount paid, along with interest.
2. During the course of the hearing, the Complainant submitted that he is willing to consider staying on the project but claimed that his home loan has been rejected by the financial institution and that the Respondent is not cooperating in loan assistance. The parties then sought time to settle the matter amicably.



3. On the next date of hearing, the Complainant submitted that the Respondent is charging interest on delayed payments, however, the payment, due from him, was delayed due to non-assistance by the Respondent and therefore, he prayed that the Respondent be directed that no interest be charged. Further, he submitted that the Respondent is also charging INR 40,000 for administrative costs.
4. The advocate for the Respondent submitted that the interest being charged is as per the terms and conditions of the agreement for sale.
5. In view of the, the Complainant is advised to pay the interest on delay, as per the terms and conditions of the agreement for sale. 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. The Respondent shall waive off the administrative costs of INR 40,000.
6. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA