BEFORE THE

MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY MUMBAI

COMPLAINT NO: CC00600000078739

...

Laxmi Lalwani

Complainant

Versus

Ekta Parksville Homes Pvt. Ltd. MahaRERA Regn. No P99000000116 ... Respondent

Corum: Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainants were represented by Mr. Manoj K Bhatia, Adv. Respondent was represented by Mr. Abir Patel, Adv. (i/b Wadia Ghandy & Co.), along with Mr. C P Goel, Ms. Ranjana Parab and Ms. Prachi Malhotra.

Order July 31, 2020

- The Complainant has stated that she has purchased an apartment bearing no: 1202 E in the Respondent's project 'EKTA PARKSVILLE PHASE I' situated at Virar, Thane via registered agreement for sale (*hereinafter referred to as the said agreement*). The Complainant has stated that the Respondent has failed to complete the construction of the said project on the date of possession of the apartment stated in the said agreement. Therefore, she prayed the Respondent be directed to pay her interest for the delay in handing over possession.
- 2. The learned counsel for the Respondent explained that the project completion was delayed due to certain mitigating circumstances. Moreover, he submitted that the Part OC for this Project was obtained on May 15, 2019 and that the Respondent will handover possession of the apartment, shortly. He also submitted that the Respondent is willing to settle the matter amicably and sought time for the same.

- 3. The Complainant accepted the same.
- 4. On the next date of hearing, the parties informed that the settlement talks were still ongoing between them and sought further time.
- 5. On the final date of hearing, on July 30, 2020, the parties have informed that they have already executed consent terms and the dispute has been amicably settled.
- 6. The learned counsel for the Complainant submitted that the Complainant is yet to take possession of her apartment as there is no provision of electricity in the said apartment.
- The learned counsel for the Respondent submitted that the Respondent has already provided electricity connection and therefore the Complainant may be directed to take possession of the apartment.
- In view of the above facts, since the dispute between the parties has been amicably resolved, the Complainant is advised to take possession of the apartment at the earliest, as per section 19(10) of the Real Estate (Regulation and Development) Act, 2016.
- 9. Consequently, the matter is hereby disposed of.



(Gautam Chatterjee) Chairperson, MahaRERA