

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

COMPLAINT NO: CC006000000056638

Deepak Mishra ... Complainant

Versus

Ekta Parksville Homes Pvt. Ltd.  
MahaRERA Regn. No. P99000000115 ... Respondent

**Coram:** Shri. Gautam Chatterjee, Hon'ble Chairperson

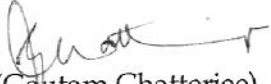
Complainant was himself present.

Respondent was represented by Mr. C. P. Goyal, Authorised representative.

**Order**

December 02, 2019

1. The present application had been filed for non-compliance of the MahaRERA order dated December 05, 2018, passed in complaint no. CC006000000056638, by the Respondent.
2. During the course of the hearing, the authorised representative of the Respondent submitted that he is willing to settle the matter amicably with the Complainant.
3. Thereafter, the Complainant has withdrawn his complaint vide application dated November 25, 2019, stating that both the parties have amicably resolved and settled with the Respondent, with liberty to approach MahaRERA again, if any of the terms of the settlement terms are violated by the Respondent, in future.
4. In view of the above, the complaint is hereby disposed of, as withdrawn.

  
(Gautam Chatterjee)  
Chairperson, MahaRERA

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COMPLAINT NO: CC00600000056638

Deepak Mehra ... Complainant

Versus

Ekta Parksville Homes Pvt. Ltd.  
MahaRERA Regn. No. P99000000115 ... Respondent

Coram: Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was himself present.  
Respondent was represented by Mr. Ashok Mohanani, CMD.


**Order**

December 05, 2018

1. The complainant has booked an apartment bearing No. 504,5th Floor, H Wing , in the Respondent's project 'Ekta Parksville Homes Pvt. Ltd' situated at, Virar via agreement for sale dated April 04, 2013. The Complainant has stated that the date of possession as stipulated by the said agreement is December 31, 2016. Therefore, he has prayed that since the Respondent has failed to hand over the possession of the apartment within the stipulated period, the Respondent be directed to pay interest, on delay, as per the provisions of section 18 of the Real Estate (Regulation and Development) Act, 2016.
2. The Respondent explained that the construction work of the building is completed and he has applied for OC in July, 2018 itself. However, he could not get OC because of reasons which were beyond the Respondent's control. Further, he submitted 220 families are already residing in the building after taking fit out possession. He added that he is willing to do the same if the Complainant so decides.



3. The Complainant stated that at this juncture he would not press for the interest, on delay, because he would like the project to be first completed with OC. However, he seeks liberty to approach MahaRERA at an appropriate stage, which may even include after receipt of OC, to demand interest, on delay as per the provisions of Section 18 of the Act.
4. In view of the above facts, the Complainant is hereby granted liberty to approach MahaRERA at an appropriate stage, which may be even after receipt of OC, as per the provisions of section 18 of the Real Estate (Regulation and Development) Act, 2016 and the rules and regulations made thereunder, for the delay in completing the said project.
5. Consequently, the matter is hereby disposed of.

  
(Gautam Chatterjee)  
Chairperson, MahaRERA