

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC00600000022930

Roshan Ranijiwala ... Complainant

Versus

Lucina Land Development Ltd.
MahaRERA Regn. No. P52000001592 ... Respondent

Corum: Shri. Gautam Chatterjee, Chairperson, MahaRERA

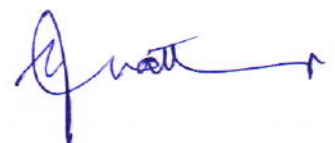
Complainant was himself present.

Respondent was represented by Mr. Manish Gala, Adv. and Mr. Nilesh Gala, Adv.

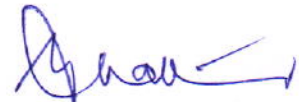
Order

September 27, 2018

1. The Complainant has entered into a registered agreement for sale (*hereinafter referred to as the said agreement*) to purchase an apartment bearing no: 902-9C1 in the Respondent's project 'Indiabulls Greens - 1' situated at, Panvel, Raigad. The Complainant has alleged that the date of possession as stipulated by the said agreement is long over; however, the Respondent has failed to hand over the possession of the said apartment. Therefore, she prayed that the Respondent be directed to transfer her allotment to a tower which has received the occupation certificate and pay her interest for the delayed possession.
2. On the first date of the hearing, the learned counsel for the Respondent submitted that MahaRERA in previous complaints filed against the said project has already directed the Respondent to handover possession of the apartments by December 31, 2018, after considering the mitigating circumstances in the project. Further, he submitted that the Respondent has already applied for the occupation certificate for the said project. He also submitted that the Respondent is willing to offer another apartment to the Complainant on mutually agreeable terms.



3. On the next date of hearing, the learned counsel or the Respondent submitted that the part occupation certificate for the said project has been received and that the Respondent has already offered possession to the Complainant. Further, he submitted that the amicable settlement between the parties for the alternative apartment has failed.
4. In view of the above, the Complainant is advised to take possession of the said apartment at the earliest. Parties may continue to have further discussions pertaining to the transfer of allotment on mutually agreed terms.
5. Consequently, the matter is hereby disposed of.



(Gautam Chatterjee)
Chairperson, MahaRERA