

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC00600000023266

Dhruv Mohan Mathur ... Complainant

Versus

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

Corum: Shri. Gautam Chatterjee, Chairperson, MahaRERA

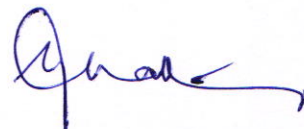
Complainant was himself present.

Respondent was represented by Mr. Abir Patel, Advocate, (i/b. Wadia Gandhi & Co.)

Order

May 4, 2018

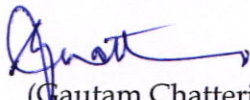
1. The Complainant has booked an apartment bearing No. 10G1-2103 in the Respondent's project 'Indiabulls Greens - 1' situated at Panvel, Raigad sometime in 2010. The Complainant has stated that they were promised possession of the said apartment by 2016 but the Respondent has neither entered into registered agreement for sale nor handed over possession. Further, he alleged that the Respondent is not providing the facilities/amenities that were promised. Therefore, he prayed that the Respondent be directed to compensate him on account of failure to provide facilities etc.
2. The advocate for the Respondent stated that the Respondent has been following up with the Complainant for executing and registering the agreement for sale but he has not come forward for the same. Further, he submitted that the Respondent has not misrepresented about any facility/amenity and is committing to handover the facilities/amenities, at the time of handing over possession, as stated in their MahaRERA registration webpage. He also submitted that the Respondent has already applied for the occupancy certificate for the said project.



3. During the course of the hearing the Complainant was explained that relief in the form of compensation for failure to provide promised facilities/ amenities cannot be granted to them. The Complainant was advised to execute and register agreement for sale, if they wanted to continue in the project.

4. In view of the above facts, the parties are directed to execute the agreement for sale as per the provisions of section 13 of the Real Estate (Regulation and Development) Act 2016 and the rules and regulations made thereunder within 30 days from the date of this Order.

5. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA