

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

COMPLAINT NO: CC006000000000262

Jyotindra Nathalal Kansara ... Complainant

Versus

Adani Estates Pvt. Ltd. ... Respondent  
MahaRERA Reg. No: P51800001290

**Coram**

Shri Gautam Chatterjee, Hon'ble Chairperson

**Order**

6<sup>th</sup> December 2017

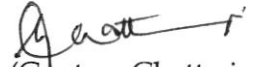
Complaint was pleaded by Shri Pratik Kansara.

Respondent was represented by Mr. Subit Chakrabarti, Adv of Vidhi Partners.

1. The Complainant has booked an apartment bearing No. 2503 in the building named Western Heights at J.P.Road, Four Bungalows, Andheri (West), Mumbai 400 053 of the respondent's above mentioned project under a subvention scheme through a registered agreement for sale.
2. The complainant stated that he has already paid substantial amount to the Respondent and though the date of possession allegedly committed by the Respondent was May 2017, however, till date the respondent has not yet handed over the possession of the said apartment. Since the respondent has put the revised proposed date of completion on the MahaRERA website as 30<sup>th</sup> June 2018, the complainant does not intend to wait till that period for possession. The complainant further stated that the Respondent be directed to resolve the issue of parking and pay the interest on the amount paid by him.
3. The respondent stated that the majority of the building work has been completed and building is nearing completion. The respondent further stated that no firm possession date has been committed in the agreements. However, he is committed to hand over possession by June 2018 as mentioned on MahaRERA website. Therefore, the respondent rejected the prayer of the interest on the payment made by the complainant, due to delay in so called possession date. Respondent further stated that there is some misinterpretation as far as the provision of two parking places is concerned and both the parties agreed that they will discuss and resolve the issue.



4. On the above facts, we feel that the respondent should handover the possession of the said apartment to the complainant on or before ending June 2018 along with OC failing which the respondent shall be liable to pay interest to the complainant from July 1, 2018 till the actual date of possession, on the entire amount paid by the complainant to the respondent. The said interest shall be at the rate as prescribed under the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rates of Interest and Disclosures on Website) Rules, 2017.
5. Consequently, the matter is hereby disposed of.



(Gautam Chatterjee)

Hon'ble Chairperson, MahaRERA