

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC00600000012511

Sanjeev Prakashchandra Mishra ... Complainant

Versus

Skylark Realtors Pvt Ltd ... Respondent
MahaRERA Regn.No. P51700004117

Coram :
Shri Gautam Chatterjee, Hon'ble Chairperson


Order

January 16, 2018

Complainant represented by Mr.Prakashchandra Mishra.

Respondent represented by Adv. Abir Patel (Wadia Ghandy & Co)

1. The Complainant had booked an apartment bearing no 401-3B admeasuring 34.28 sq. mts. in the Respondent's project 'JP North Atria' located at Mira Road, Thane through an allotment letter dated December 6, 2016. The Complainant alleged that in the draft agreement for sale the carpet area mentioned for the said apartment is 33.05 sq.mts and that there is a variation in the consideration amount as agreed between the parties.
2. The advocate for the Respondent explained that the change in the carpet area of the said apartment is merely because of the change in the definition of carpet area as provided for in section 2 of the Real Estate (Regulation and Development) Act 2016. Further, he added that the consideration amount for the apartment is the same as mentioned in the said allotment letter. However, there are certain other charges such as club house development charges, infra development charges etc. to be paid by the Complainant. The Complainant requested that he be given a break-up of these "other charges" in the draft agreement for sale.
3. 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. Respondent to provide a breakup of the additional charges to the Complainant and the per square feet consideration amount for the said apartment to remain the same as agreed between the parties as per the said allotment letter.
4. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA