

**BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY,
MUMBAI**

Complaint No. CC006000000056428

Mr. I. V. Swaminathan
Mrs. Meera Swaminathan

..... Complainants

Versus

Mr. Vinay Shravankumar Agarwal

..... Respondent

Project Registration No. **P52000000754**

Coram: Hon'ble Dr. Vijay Satbir Singh, Member – 1/MahaRERA

The complainant is present in person.

The respondent is absent.

ORDER

(14th May, 2019)

1. The complainants have filed this complaint as allottees in the project being developed by the respondent at Panvel. They had paid Rs. 73,44,022/- against the consideration value of Rs. 77,54,250/- for their flat admeasuring 578 sq. ft. Since the respondent failed to handover the possession of the flat, the complainants filed this complaint for payment of interest under section 18 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred as RERA).
2. The case was heard on the dates fixed for hearing; the respondent mostly remained absent although he gave Written Submissions after the closure of the case. The learned advocate for the complainant took objection to that. Hence written submissions are not considered in this case.

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3. The facts of this case show that, there is a registered agreement of sale between the parties. Date of possession in the agreement was December 2017 with grace period of six months. Promoter should have handed over possession by June 2018. The complainant had therefore entitled to have interest from July 2018 till the date of actual possession as per the section 18 of the RERA. The respondent given liberty to defer the payment of interest till the time of possession. He can also set-off the amount of interest against the outstanding dues from the complainants.
4. Accordingly, the complaint stands disposed of.



(Dr. Vijay Satbir Singh)
Member – 1/MahaRERA