

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC00600000023579

Dhiraj Kumar Agarwal ... Complainant

Versus

CCI Projects Private Limited ... Respondent
MahaRERA Regn.No. P51800003067

Corum: Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was himself present along with Mr. Anoop Patil, Adv.
Respondent was represented by Mr. Abir Patel, Advocate, (i/b Wadia Gandhi & Co.)

Order

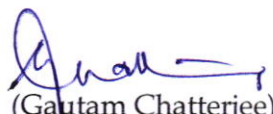
May 4, 2018

1. The Complainant has purchased an apartment bearing No. 28 -D in the Respondent's project 'Wintergreen' situated at Borivali, Mumbai via registered agreement for sale dated December 30, 2017. The Complainant has alleged that the Respondent, pursuant to the said agreement, is charging certain transfer fees on the consideration price for according written permission to the Complainant to effectuate transfer of the premises. He has further alleged that the Respondent is charging interest on alleged delayed payments at the rate which is not in conformity with the provisions of the Real Estate (Regulation and Development) Act, 2016 and the rules and regulations made thereunder and that the Respondent has not yet initiated the process of formation of society.
2. The advocate for the Respondent argued the said transfer fees are being levied as per the terms and conditions of the agreement for sale, duly agreed upon by both the parties in the said agreement. Further, he submitted that the Respondent will levy the interest for delayed payments only as per the provisions of the Real Estate (Regulation



and Development) Act, 2016. Finally, he submitted that the Respondent has already initiated the process of formation of society.

3. The Complainant accepted that the transfer fee clause has been agreed upon by him while signing the agreement for sale.
4. Therefore, in view of the submission by the Respondent that interest for delayed payments will not be in violation of the provisions of the Real Estate (Regulation and Development) Act, 2016 and that the process of formation of society has already been initiated, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA