

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC00600000054636

Rajesh and Sapna Chaudhary ... Complainants

Versus

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

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was represented by Mr. Anwar Landge, Adv. a/w Ms. Sonam Singh, Adv.
Respondent was represented by Mr. Abir Patel, Adv., (i/b Wadia Gandhi & Co.).

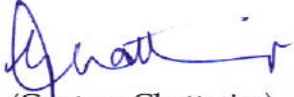
Order

September 17, 2018

1. The Complainants have purchased an apartment bearing no: 38C in the Respondent's project 'Wintergreen' situated at Borivali, Mumbai via registered agreement for sale dated March 26, 2013. The Complainants have alleged that the date of possession as stipulated by the said agreement is long over and therefore they prayed that since the Respondent has failed to hand over the possession of the apartment within the stipulated period, they be directed to pay interest, on delay, as per the provisions of section 18 of the Real Estate (Regulation and Development) Act, 2016 (*hereinafter referred to as the said Act*).
2. The learned Counsel for the Respondent explained that the construction work of the project could not be completed because of reasons which were beyond the Respondent's control. However, he added, that the construction work was now progressing well and would be completed before the revised completion date set out in the registration webpage.



3. In Complaint no: CC006000000012599, the Respondent has already committed to complete the project by December, 2019 and MahaRERA has passed various Orders in this regard, allowing the Respondent to complete the project first with liberty to Complainants to demand interest at an appropriate stage, as per the provisions of section 18 of the Real Estate (Regulation and Development) Act, 2016.
4. In view of the above facts, the Respondent shall, therefore, handover the possession of the apartments, with Occupancy Certificate, to the Complainants before the period of December 31, 2019. The Complainants shall be at liberty to demand interest at an appropriate stage, as per the provisions of section 18 of the Real Estate (Regulation and Development) Act, 2016 and the rules and regulations made thereunder, from the Respondent for the delay in completing the said project.
5. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA