

BEFORE THE  
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

COMPLAINT NO: CC006000000001076

Bindu R Jaisingh ... Complainant  
Versus

Ekta Parksville Homes Pvt. Ltd.  
MahaRERA Regn.No: P99000000148 ... Respondent

**Coram**

Shri Gautam Chatterjee, Hon'ble Chairperson

**Order**

January 8, 2017

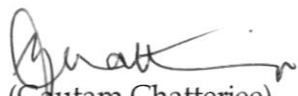
Complaint was pleaded by the complainant himself.

Respondent was represented by Mr. Abir Patel, Adv. (i/b Wadia Ghandy & Co.)

1. The Complainant has booked an apartment bearing no 401-B in the Respondent's project 'BROOKLYN PARK PHASE III' located at Virar, through an allotment letter dated July 08, 2014 pursuant to which the possession was promised to be handed over by June 2017.
2. Complainant alleged that the Respondent has failed to handover possession of the said apartment within the stipulated period and therefore, he intends to withdraw from the project.
3. The Respondent explained the reasons, beyond his control, due to which the completion of the project has got delayed. He, however, requested that the Complainant may reconsider his stand, continue with the project and enter into registered agreement for sale, with a reasonable timeline for handing over the apartment. The Complainant accepted the same.



4. On review of the Respondent's MahaRERA registration it is observed that the revised proposed date of completion is February, 2020. As per the provisions of the Rule 4 of 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, the revised date of possession for an ongoing project has to be commensurate with the extent of balance development.
5. In view of the aforesaid facts, the parties are directed to execute and register the agreement for sale, within 45 days from the date of this Order, as per the provisions of section 13 of the Real Estate (Regulation and Development) Act 2016, with a possession date of June, 2019. Further, the Respondent is directed to handover possession of the said apartment to the Complainant before the period ending June 2019, failing which the Respondent shall be liable to pay interest to the Complainant from July 1, 2019 till the actual date of possession, on the entire amount paid by the Complainant to the Respondent. The said interest shall be as prescribed under Rule 18 of 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.
6. Consequently, the matter is hereby disposed off.

  
(Gautam Chatterjee)  
Chairperson, MahaRERA