

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000012473

Dalip Sehgal ... Complainant

Versus

Shreeniwas Cotton Mills Ltd (Lodha Developers Pvt. Ltd.)
MahaRERA Regn. No. P51900008345 ... Respondent

Corum: Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was represented by Mr. Usama Memon, Adv.

Respondent was represented by Mr. Sunilraja Nadar, Adv a/w Ms. Akansha Ughade, Adv.

Order

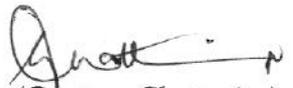
December 24, 2018

1. The Complainant has purchased an apartment bearing no. West Wing 1 - 3201, on 32nd floor, in the Respondent's project "Lodha World One" situated at Lower Parel, Mumbai via a registered agreement for sale dated October 25, 2013. The Complainant alleged that the date of possession as stipulated by the said agreement was December 31, 2016 (along with grace period of 1 year) and that the Respondent has failed to handover possession of the said apartment, till date. Therefore, he prayed that the Respondent be directed to pay him interest for the delay in handing over possession.
2. The learned counsel for the Respondent submitted that the Complainant is not an allottee in the project against which the complaint has been filed and therefore not maintainable. Further, he submitted that the Respondent has already obtained the occupation certificate for the Complainant's apartment in July, 2017 much before the filing of the present complaint and that possession is already offered to the Complainant. He also submitted that the Complainant had also filed a complaint in the State Consumer Disputes Redressal Commission, Maharashtra and the said matter was dismissed.



3. Complainant was not present.

4. In view of the above facts, the present Complaint is dismissed as not maintainable.


(Gautam Chatterjee)
Chairperson, MahaRERA