

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC00600000012551

Shailesh Deshpande ... Complainant

Versus

Agile Real Estate Pvt. Ltd. ... Respondent
MahaRERA Regn.No. P51700001040

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

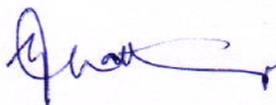
Complainant was himself present

Respondent was represented by Ms. Jayashree R., Adv. (M/s. Suneet Kr.Tyagi & Associates)

Order

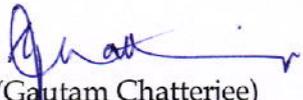
February 20, 2018

1. The Complainant has booked an apartment bearing No 196-C in the Respondent's project 'Immensa C' located at Kolshet, Thane through booking application dated October 2, 2016. Though, no agreement for sale has been executed till date, the Complainant has alleged that he was verbally informed that he will be given possession of his apartment by the end of 2018; however, the Respondent has put the revised proposed date of completion as December 2024 in their MahaRERA registration. Therefore, he stated that he would like to withdraw from the project and prayed the Respondent be directed to refund the entire amount paid by him along with interest.
2. The advocate for the Respondent stated that if the Complainant wishes to withdraw from the project at this stage, he will be entitled to refund in accordance with the terms and condition of the booking application. However, they are willing to execute the agreement for sale and that they will handover possession of the said apartment by September, 2021. Complainant showed his willing to continue in the said project provided the agreement for sale is executed as per the rules and regulations made under the Real Estate (Regulation and Development) Act 2016.



3. In view of the above facts, the parties, if the Complainant intends to continue in the said project, are directed to execute the agreement for sale as per the provisions of section 13 of the Real Estate (Regulation and Development) Act 2016 and the rules and regulations made thereunder within 30 days from the date of this Order. The Respondent shall handover possession of the said apartment, with Occupancy Certificate, to the complainant before the period ending on September 30, 2021, failing which, the respondent shall be liable to pay interest to the Complainant as prescribed under Rule 18 of the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rate of Interest and Disclosures on Website) Rules, 2017.

4. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA