THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
CORAM :- SHRI.W.K.KANBARKAR, ADJUDICATING OFFICER, PUNE

Non-Compliance Application
in
Complaint No.CC006000000012719

Gorden Jagwan

.. Complainant/Allottee

V/s.

Balaji Construction Company .. Respondent/Promoter.

Appearance

Complainant :- Adv. Suchita Chalke
Respondent :- A.R. Sunil Dongre

ORDER

1. Vide order, dated 24.05.2018 passed by the Hon'ble Member-I, MahaRERA, Mumbai, respondent-promoter is directed to hand over the possession of the booked premises with occupancy certificate to the complainant before 31st May, 2020 failing which the respondent shall be liable to pay interest from 1st June, 2020 till the actual date of possession on the entire amount paid by the complainant to the respondent and further interest shall be paid at the rate 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. Vide order-sheet, dated 11.05.2023, order of recovery warrant is passed directing the District Collector, Thane. Adv. Mr.Chalke for the complainant has prayed for imposing penalty under Section 63 of the RERA. On the other hand, Mr. Dongre, A.R. for the respondent argued that respondent is facing financial crisis and prayed not to impose any penalty. Thus looking to the nature of the aforesaid order of MahaRERA Authority, this is not a suitable case for imposing penalty under Section 63 of the RERA. Obviously, request of the complainant for penal action under Section 63 of the RERA hereby stands rejected.

Pune (W.K. Kanbarkar)

Date :- 05.07.2023 Adjudicating Officer, MahaRERA, Pune