THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO. CC006000000100193

Umesh Sambhaji Mahajan ..Complainant.

Versus

Karrm Infrastructure Pvt. Ltd. ..Respondent.

MahaRERA Regn. No. **P51700008284**
(Karrm Garden-1, Ambernath(MCI))

Coram:
Hon'ble Shri. Bhalchandra Kapadnis,
Member-II, MahaRERA.

Appearance:
Complainant: In Person.
Respondent : Absent.

FINAL ORDER
(1st January, 2020)

The complainant contends that he booked a flat no. 204 in the building Gulab-A in the respondent's registered project Karrm Garden-1 situated at Ambernath (West). The respondent has agreed to hand over possession thereof on or before June, 2015, but failed to do so. Therefore, complainant withdraws from the project and claims refund of his amount with interest u/s 18 of RERA.

2. The respondent has failed to appear despite the notices on 22.10.2019 and today on 01.01.2020. Therefore, complaint proceeds ex-parte against him.

3. Copy of the agreement for sale executed by the respondent in complainant's favour shows that the respondent agreed to hand over possession of the booked flat on or before 30th June, 2015. However, he has failed to hand it over on agreed date. Therefore, complainant seeks refund of his amount u/s 18 of RERA with interest and I find that he is entitled to do so.

4. The complainant has produced payment statement showing the payments made by him towards consideration of the flat from time to time. He also submits that the stamp duty has been paid by respondent and registration charges are also borne by him. Therefore, the complainant is entitled to recover the amount mentioned in the payment statement with prescribed rate of interest. The prescribed rate of interest is 2% above SBI's highest MCLR, which is currently 8.2%. The complainant is entitled to claim interest from the dates of payment till getting refund thereof. He is also entitled to receive Rs. 10,000/- towards cost of the complaint.

5. Respondent shall make the payment as directed. Complaint stands disposed of accordingly.

1.1.2020

Mumbai
Date : 01.01.2020

(B. D. Kapadnis)
Member-II,MahaRERA, Mumbai