BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY, MUMBAI

Complaint No. CC006000000192637

Mr s. Vaishali Chandrashekhar Patil ..Complainant

Vs

M/s. Kuber Abhiraj Infra ..Respondent

MahaRERA Project Registration No. **P51700008998**

Coram: Dr. Vijay Satbir Singh, Hon'ble Member – 1/MahaRERA

Mr. Chandrakant Patil appeared for the complainant(Not audible).
None appeared for the respondent.

ORDER

(02nd December, 2020)
(Through Video Conferencing)

1. The complainant has filed this complaint seeking directions from MahaRERA to the respondent to pay interest for the delayed possession under section 18 of the Real Estate (Regulation & Development) Act, 2016 (hereinafter referred to as RERA) in respect of booking of a flat No. A/607, on 6th floor, in the respondent's registered project known as **"Kuber Ganraj"** bearing MahaRERA registration No. **P51700008998** at Thane.

2. This complaint is heard finally today as per the Standard Operating Procedure dated 12-06-2020 for hearing of complaints through Video Conferencing. Both the parties have been issued prior intimation of this hearing and they were also informed to file their written submissions, if any. Accordingly, the husband of the complainant though appeared could not be heard due to some technical problem. However, none appeared for the respondent, though the hearing notice was duly served upon it.

1. During the course of hearing, it was noticed by MahaRERA according to the information available on MahaRERA website that the validity period of the said project has already lapsed on 31/12/2019. Further, the respondent has not uploaded the Form-4 and occupancy certificate on MahaRERA website. Therefore, prima facie, it shows that the project is still incomplete.

2. In this regard, the MahaRERA is of the view that the promoter of such project should apply to MahaRERA for extension of the project. It should also enable the formation of the association of allottees under section -11(4)(e) of the RERA by sharing the project related information with all the allottees.

3. In view of the aforesaid facts, the respondent is directed to approach MahaRERA for extension of the project period or take any other action to revive the project giving a definite time-line for its completion within a period of one month from the date of this order. The respondent is further directed to share the information of allottees with the complainant. The association of the allottees can contemplate action under section 7 & 8 of the RERA if it so desires.

4. With these directions, the complaint stands disposed of with liberty to the complainant to approach MahaRERA for redressal of her grievances, if any, after the project is revived, by filing appropriate application in the present complaint.

(Dr. Vijay Satbir Singh)
Member – 1/MahaRERA