

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000044013

Vallinayagam S Asari

... Complainant

Versus

Neptune Developers Ltd
MahaRERA Regn. No. P51700010102

... Respondent

Corum:

Shri. Gautam Chatterjee, Chairperson, MahaRERA

Complainant was himself present.

Respondent was represented by Ms. Manisha Chandwani, Authorised representative.

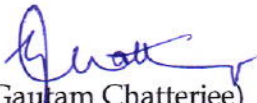
Order

September 11, 2018

1. The Complainant has purchased an apartment bearing no: 204-B in the Respondent's project 'NEPTUNE SWARAJYA SECTOR 2- B7, B21, B22A, B22B, B22C' situated at Kalyan, Thane via registered agreement for sale dated August 23, 2012. The Complainant has alleged that the date of possession as stipulated by the said agreement is long over. Therefore, he prayed that since the Respondent has failed to hand over the possession of the apartment within the stipulated period, they be directed to pay interest, on delay, as per the provisions of section 18 of the Real Estate (Regulation and Development) Act, 2016 (*hereinafter referred to as the said Act*).
2. The authorised representative for the Respondent explained that the construction work of the project could not be completed because of reasons which were beyond the Respondent's control. However, she added, that the Respondent is now in the process of obtaining the occupation certificate for the said project and will handover possession of the apartment by November, 2018. The Complainant also accepted the revised timeline for possession.



3. In view of the above facts, the Respondent shall, therefore, handover the possession of the apartment, with Occupancy Certificate, to the Complainant before the period of November 30, 2018, failing which the Respondent shall be liable to pay interest to the Complainant from December 1, 2018 till the actual date of possession, on the entire amount paid by the Complainant to the Respondent. The said interest shall be at the rate 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