

BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY,  
BANDRA, MUMBAI

COMPLAINT NO: CC006000000000326

Megha Bhike

.. .... Complainant

Versus

1. Mr. Rohidas Chavan and 2 others

..... Respondents

**MahaRERA Registration No - P51800002943**

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

Date- 5<sup>th</sup> October 2017

1)The complainant has filed this complaint before this Authority seeking directions to respondent to immediately give possession of flat and to pay interest for the delayed possession. The complainant had purchased the flat from the respondent No. 1, in the month of December 2014 in the registered project bearing No. P51800002943 and a registered agreement had been executed, in which the date of possession was mentioned as December 2015. However, till date she has not received possession of the flat.

2) The matter was heard today i.e. on 5-10-2017. The complainant and respondent No. 2 and 3 appeared in person and respondent no. 1 remained absent. The respondent No. 2 and 3 pointed out that the respondent No. 1 Mr. Rohidas Chavan was original allottee of the flat and after obtaining their NOC, he sold the flat to the complainant. Now they have obtained the occupation

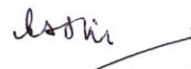


certificate for said flat and on payment of outstanding due such as service tax, Vat etc. they are ready to handover possession of the flat to the complainant.

3) From the above facts, it is clear that the complainant had purchased the flat in re-sale from the original allottee viz the respondent No.1, who was not in possession of the flat and there are government taxes required to be paid. Since the complainant is claiming possession of the flat, she is liable to pay these dues.

4) In view of these facts, this Authority directs the respondent No. 2 and 3 to provide the details of the outstanding dues payable towards taxes in respect of the said flat, to the complainant within a period of one week. The complainant shall pay the said dues and thereafter, the respondent No. 2 and 3 to handover the possession of the said flat immediately to the complainant.

5) In view of the above directions, the complainant stands disposed of.



(Dr. Vijay Satbir Singh )  
Member-1, MahaRERA