

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000000729

Atul Gupta	..	Complainant
Versus		
SiroyaFM Constructions Pvt. Ltd. MahaRERA Regn: P51800009790	..	Respondent

30th October 2017

Final Order

1. The complainant has filed this complaint praying for possession of the apartment booked in Respondent's Project Regn. No. P51800009790.
2. This matter was kept for hearing on 30th October 2017 when the complainant Shri Atul Gupta pleaded his case. Shri Ashwin Mishra, Advocate represented the Respondent.
3. The complainant stated that he has entered into agreement for sale vide 11th November 2011 to purchase an apartment and till date has made 80% payment of the total consideration to the Respondent. The remaining payment is to be made at the time of possession of the apartment. However, the possession of the said apartment is delayed and has not been received, as agreed. The complainant prayed that the respondent may be asked to hand over the possession of the said flat with Occupation Certificate at the earliest.
4. The Respondent stated how the project, which is now nearing completion, has been delayed due to reasons beyond his control. He further said that the apartment shall be handed over by 31st January 2018 i.e. the date put on MahaRERA website for completion of the project. The complainant agreed to the said date of possession.
5. The respondent shall, therefore, handover the possession of the said apartment to the complainant before the period ending 31 January 2018, failing which the respondent shall be liable to pay interest to the complainant from 1st February 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 of the State Bank of India highest Marginal Cost of Lending Rate prevailing at such time plus two percent, 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.
6. Consequently, the matter is hereby disposed off.


(Gautam Chatterjee)

Hon'ble Chairperson, MahaRERA