

**BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI**

Complaint No. CC006000000171490

Mr. Nikhil Namdeo Patil

.... Complainant

Versus

M/s. Savita homemakers LLP

.... Respondent

Project Registration No. **P51700012365**

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

Adv. Shreeprasad Parab appeared for the complainant.


Adv. Mohit Bhansali appeared for the respondent.

ORDER

(7th January, 2020)

1. The complainant has filed this complaint seeking directions to the respondent to handover possession of a flat along with 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 in the respondent's project known as "**Goldcrest Residency – Phase I**" bearing MahaRERA registration No. P51700012365 at Ghansoli, Navi-Mumbai.
2. This complaint was heard finally today. During the hearings, both the parties appeared through their respective advocates and made their submissions.
3. It was also noticed that according to the information available on the MahaRERA website, the validity period of the said project has already lapsed on 31-12-2019. Further, the respondent has not uploaded form- 4 or occupancy certificate on MahaRERA website. Prima facie, it shows that, the project is still incomplete and validity of registration has expired.

4. 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 enable the formation of the association of allottees under section- 11(4)(e) of the RERA and share project related information with the allottees. If the promoter is unable to complete the project, then the association can contemplate action under sections- 7 & 8 of RERA.
5. In view of the above 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 timeline for its completion. The respondent is further directed, to enable the formation of association of allottees and share the contact details of all allottees with the complainant and other allottees. The respondent is also directed to upload the Annual Audit Report of Statutory CA – Form-5 for Financial Year 2017-2018 and Financial Year 2018-2019. The registration bench of MahaRERA can also take appropriate action under sections- 7 & 8 or other provision of RERA.
6. With these directions, the complaint stands disposed of with the liberty to the complainant to approach MahaRERA for redressal of their grievances after the project is revived.


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