

**THE MAHARASHTRA REAL ESTATE REGULATORY
AUTHORITY, MUMBAI.**

Complaint No. CC005000000022359

Dattatraya Ghongane

.. Complainant.

Versus

M/s. Shivtara Associates.

Mrs. Kiran Ravindra Dhumal

Respondents.

MahaRERA Project Reg. No. P52100009317.
(Tara City)

Coram : Shri B.D. Kapadnis
Member-II, MahaRERA.

Appearance:

Complainant: In person.

Respondents: Absent.

ORDER

(28.11.2019)

The complainant has filed this complaint under Section 18 of RERA for seeking interest on his amount for delayed possession as the respondents have failed to hand over the possession of his booked flat No. 804, A-1 Wing of the respondents' registered project "Tara City" situated at Loni Kalbhor on agreed date, 31-3-2016 with grace period of three months.

2 The respondents remained absent on 3-8-2019, 27-9-2019 and today on 28-11-2019 despite the notices. Hence the matter precedes exparte against them.

3. The complainant has brought to my notice copy of the agreement for sale showing that the respondents agreed to hand over the possession of the

* corrected 48 39 of RERA
6.1.2020

flat by March, 2016 with the grace period of 3 months. Therefore, by latest they were to hand over the possession of the flat on or before 30.06.2016. They have failed to do so. Hence the complainant has rightly exercised his right to continue in the project and claim interest on his amount for delayed possession under Section-18 of RERA.

4. The complainant has produced the payment receipts which show that he paid Rs.12,50,000/- before the agreed date of possession and paid Rs.50,000/- on 1-6-2016, Rs.50,000/- on 8-6-2016. The complainant is entitled to get prescribed interest on these amount from the dates mentioned above till getting the possession of the flat. The prescribed rate of interest is 2% above S.B.I.'s highest MCLR, which is currently 8.4%. The complainant is also entitled to get Rs. 20,000/- towards cost of the complaint.

5. Therefore, the respondents are directed to pay the interest and cost of the complaint to the complainant as directed. The parties are at liberty to adjust their respective current claims and pay the balance if any.

Camp at PUNE
DATED:- 28/11/2019

(B.D. KAPADNIS)
Member-II, MahaRERA, Mumbai

As corrected as per order passed in
review petition dated 25.2.2020.
25.2.2020