

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

Complaint No. CC006000000110760

Ms. Harshala Jayendra Raut & Anr.
Versus

..Complainant

M/s. D G Land Developers Pvt Ltd

..Respondents

MahaRERA Project Registration No. **P51800000446**

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

Adv. Tushar Kadam appeared for the complainant.

Adv. Tarun Prajapati appeared for the respondent.

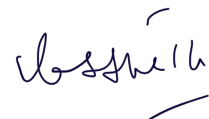
ORDER

(07th September, 2020)

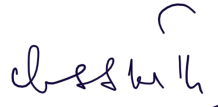
(Through Video Conferencing)

1. The complainants have filed this complaint seeking directions from MahaRERA to the respondent to pay interest for the delayed possession under Section 18 of Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as the RERA) with respect to booking of flat bearing No.1603 in the respondent's project known as "Sheetal Jay Om Aradhana" bearing MahaRERA Registration No.P51800000446 at Malad, Tal- Borivali, Mumbai.

1. This complaint was heard finally today as per the Standard Operating Procedure dated 12/06/2020 issued by MahaRERA for hearing of complaints through video conferencing. The parties were issued prior intimation for the hearing and were also informed to file their written submission if any. Accordingly, both the parties appeared and made their respective oral as well as written submissions on record.



2. During the course of hearing, it was noticed by MahaRERA according to the information available on MahaRERA website that the validity period of the said project has already lapsed on 31/12/2019. Further, the respondent has not uploaded the Form-4 and occupancy certificate on MahaRERA website. Therefore, prima facie, it shows that the project is still incomplete. It was also noticed that the complainants have already taken the possession of their flat.
3. 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 also enable the formation of the association of allottees under section -11(4)(e) of the RERA by sharing the project related information with all the allottees.
4. In view of the aforesaid 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 time-line for its completion within a period of one month from the date of this order. The respondent is further directed to share the information of allottees with the complainants. The association of the allottees can contemplate action under section 7 & 8 of the RERA if it so desires.
5. With these directions, the complaint stands disposed of with liberty to the complainants to approach MahaRERA for redressal of their grievances, if any, after the project is revived, by filing appropriate application in the present complaint or filing a fresh complaint.


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