

Nalawade

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL
MUMBAI**

APPEAL NO. AT006000000010708 OF 2019

Mr. Anil Agarwal ... Appellant

-VS-

M/s. Shree Rama Shree Constructions Pvt. Ltd. ... Respondent

APPEAL NO. AT006000000010729 OF 2019

Mr. Samir Agarwal ... Appellant

-VS-

M/s. Shree Rama Shree Constructions Pvt. Ltd. ... Respondent

Ms. Shivani Shukla i/b. Mr. Anil D'souza, Advocate for Appellants.

Mr. Harishankar Pandey i/b. Mr. Abhay Arora, Advocate for Respondent.

CORAM : SHRI SHRIRAM R. JAGTAP, MEMBER (J) &

DR. K. SHIVAJI, MEMBER (A)

DATE : 01st APRIL, 2024

(THROUGH VIDEO CONFERENCE)

By a separate common judgment following has been passed and pronounced today as follows: -

"ORDER

a) Appeal No. AT006000000010708/2019 and Appeal No. AT006000000010729/2019 are partly allowed.

b) The respondent/promoter is directed to pay interest to allottees/complainants on the amount paid by them as per SBI



highest Marginal Cost Lending Rate (MCLR) plus 2% from 01.01.2013 till the date of actual possession.

- c) The amount of interest payable to allottees shall be adjusted at the time of possession against the balance amount payable by allottees as per the original agreement.*
- d) After adjustment as above, the deficit or surplus if any, shall be paid by respective party to the other party at the time of possession failing which such amount shall be liable to interest at the same rate as directed at (b) above from the next day of actual possession till the date of actual payment.*
- e) Pending Misc. applications, if any, stand disposed of.*
- f) Parties shall bear their own costs.*
- g) Copy of this order be communicated to the Authority and respective party as per Section 44(4) of RERA Act, 2016."*



(DR. K. SHIVAJI)



(SHRIRAM, R. JAGTAP, J.)