

**BEFORE MAHARASHTRA REAL ESTATE
APPELLATE TRIBUNAL, MUMBAI**

43] APPEAL NO. AT006000000052508 OF 2020

Mrs. Malti Pradeepkumar Gupta

... Appellant

-VS-

M/s. Siroya FM Constructions Pvt. Ltd & Anr.

... Respondents

Adv. Rizwan Ahmed for Appellant.

None for Respondent.

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

DR. K. SHIVAJI, MEMBER (A)

DATE : 30th NOVEMBER, 2023

(THROUGH VIDEO CONFERENCE)

Following order is passed.

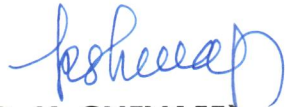
ORDER

- a) Appeal is partly allowed.
- b) Impugned order dated 6th March 2020 passed in Complaint No. CC006000000089647 is modified as hereunder.
- c) Respondent promoter is directed to hand over possession of the subject flat after receipt of the occupation certificate of the project at an early date.
- d) Respondent promoter is further directed to pay interest for the delay in delivery of the possession of the subject flat to allottee from 1st January 2012 for every month of delay along with its delayed interest

S. Jagtap

arrears of the past within 30 days from the date of the order and continue to pay delayed interest, till the handing over of the possession of subject flat with occupation certificate on the paid amounts of Rs. 1,18,40,000/- without any adjustment of payable amounts by respective parties at the time of possession at the rate of highest marginal cost of lending rate of Stat Bank of India plus 2 %.

- e) Liberty to Appellant complainant to take appropriate recourse to get its grievances regarding compensations redressed as per law.
- f) No order as to costs.
- g) In view of the provisions of Section 44(4) of the Act of 2016, a copy of this order shall be sent to the parties and to MahaRERA.



(DR. K. SHIVAJI)



(SHRIRAM R. JAGTAP)