

DELAYED POSSESSION IN MOHALI PROJECT

Rera directs JLPL to pay ₹30L relief to two

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MOHALI: In two separate cases related to delayed possession in the realty project Falcon View, located in Sector 66A, Mohali, the Punjab real estate regulatory authority (Rera) has directed the developer—Janta Land Promoters Pvt Ltd (JLPL)—to pay around ₹30 lakh as compensation and interest.

The adjudicating officer of the authority, JS Khushdil, passed these orders, giving relief to com-

plainants Suman Mann and Nikhil Kawatra. While Mann is to get ₹8.97 lakh as compensation with interest, Kawatra will get ₹21.75 lakh.

Kawatra bought an under-construction apartment and entered into an agreement of sale on August 5, 2014, following which an allotment letter was issued.

The possession was to be given within 24 months, i.e. by August 6, 2016. The complainant paid around ₹79 lakh, but possession wasn't handed over to him. After hearing both parties, a notice

AMOUNT INCLUDES COMPENSATION FOR MENTAL AGONY BESIDES LITIGATION COST

under Section 18 of the Real Estate (Regulatory and Development) Act was served on the developer, to which it pleaded not guilty.

However, finding the explanation not satisfactory, the adjudicating officer held: "The complainants are entitled to interest

after the contractual date of handing over of the possession till the actual date of handing over the possession." ₹1 lakh of the compensation is for mental agony and towards litigation.

In Mann's case, the apartment was bought in September 2012. The developer issued the letter of allotment on July 30, 2013, and possession was promised within 30 months. The amount paid till February 14, 2017, was ₹89 lakh.

The adjudicating officer observed: "In the instant case, there is no agreement of sale exe-

cuted by the parties, rather, there is only an allotment letter. However, even if there is no agreement, the claim or case of the complainants cannot be brushed aside because it is fully covered under Section 18 of the Act."

The developer has to make payments within 16 days of the order, failing which the complainants will be entitled to receive further interest on the total amount of compensation at the rate of 6% per annum from the date of order till the realisation of the amount due.