

In complaint filed by Complainant **Ashok R Mundkur and Disha A Mundkur v/s Palaceio Property Developers Private limited and Laljee Patel** in case number **F No: 3/RERA/ Complaint(356)/2023**, The Authority has passed the following order dated **21/05/2024:-**

- (i) *“The Respondent No. 1 and Respondent No. 2 are hereby directed to hand over possession of the Flat No. 303-B admeasuring 1952 sq. ft. of the built up area (181.38 sq. mtrs.) located on the 3rd floor, in Regalo, Wing No. B, Riverside in the project “Glenwood Gardens” alongwith stilt parking area B-2 to the Complainants within 02 months from the date of this order with all amenities and occupancy certificate.*
- (ii) *The Respondent No. 1 and Respondent No. 2 are also hereby directed to pay to the Complainants simple interest calculated at the rate of 10% per annum on the advance amount to the tune of Rs. 18, 81,600/- (Rupees Eighteen lakhs, eighty one thousand and six hundred only) from 16.03.2014 within the said period of 02 months or until handing over possession of the said flat.*
- (iii) *The Respondent No. 1 and Respondent No.2 are also hereby directed that the balance payment pending from the Complainants to the tune of Rs. 14,78,400/- (Rupees Fourteen lakhs, seventy eight thousand, four hundred only) towards the said flat shall be deducted and adjusted towards full cost of the said flat. The remaining interest amount if any*

may be adjusted towards pre-possession charges in favour of the Respondent No.1.

(iv) The Respondent No. 1 and Respondent No. 2 are also hereby directed that in the event of said Flat No. 303-B with the said specification is not available or unable to deliver the said flat admeasuring 181.38 Sq. mtrs. as stated in the Schedule V of the said Agreement alongwith the amenities as per original sanctioned plans of 2012, provide alternate flat with calculating amounts already paid and further payable or returnable as per the actual final area within the said period of 02 months.

(v) The Respondent No. 1 and Respondent No. 2 are also hereby directed to form society as expeditiously as possible within the said period.

53. *Failure to comply the above order within the said period will entail further enforcement action by the Authority as per provisions and Act and Rules thereof.*

54. *Compensation has to be determined by the Ld. Adjudicator under Section 71 of the Real Estate (Regulation and Development) Act, 2016. ”*

Since the respondent/promoter i.e. **Palaceio Property Developers Private limited and Laljee Patel**, has not complied with the order and not paid the penalty, the case has been referred to the Collector, North Goa, for recovery as arrears of Land Revenue by vide letter dated 07.08.2024 and Letter dated 22.08.2024 was sent to the PDJ Panaji for possession.