

In complaint filed by Complainant Shri Mohammed Farhan Memon v/s Gera Developments Private Limited in case number F No: 3/RERA/ Complaint(275)/2021, The Authority has passed the following order dated 07

/07/2022:-

“In view of the observation above, the following directions are issued:-

- 1. Respondent/ promoter is hereby directed to refund the amount of Rs.1,31,43,015/- (Rupees One Crore Thirty One Lakhs Forty Three Thousand and Fifteen only) to the allottee i.e. complainant as per para 11 of this order. After refund, the said Agreement shall be deemed as cancelled.**
- 2. Respondent/promoter is directed to pay the penalty of Rs. 10,00,000/- (Rupees Ten Lakhs only) as per Section 61 of the Act.**

The promoter shall pay the above mentioned refund and penalty within Thirty days (30 days) after receipt of this order failing which he will be liable to pay the interest as per highest marginal cost of lending rate plus 2% fixed by SBI i.e. (7.5% + 2% =9.5%) after the expiry of 30 days and till the entire amount paid by the promoter or recovered from him under the law.

- 3. Complaint dated 22/12/2021 made by the complainant and counter claim dated 15/06/2022 made by the respondent are disposed of.**

Since the respondent/promoter ie Gera Developments Private Limited, has not complied with the order, the case was referred to the Collector, North Goa, for recovery as arrears of Land Revenue. The respondent/promoter filed an Appeal and the matter is pending before the Maharashtra RERA Appellate Tribunal. The Hon'ble Maharashtra Real Estate Appellate Tribunal Mumbai vide an order dated 30/11/2022 has granted interim relief and directed not to take any coercive steps against the Appellant till next date. The same has been conveyed to the collector (North Goa).