



**BEFORE THE TAMIL NADU REAL ESTATE
REGULATORY AUTHORITY (TNRERA)
(Tamil Nadu, Andaman & Nicobar Islands)
at Egmore, Chennai – 600 008**

[Under the Real Estate (Regulation and Development) Act, 2016]

**C.No.340/2019
13th day of August, 2020**

**Coram : Thiru K. Gnanadesikan, I.A.S.(Retired), Chairperson
Er. S. Manohar, Member
Adv. V. Jeyakumar, Member**

Thiru Vivek Ramsisaria

Complainant

Versus

M/s. Amar Prakash Developers Pvt. Ltd.

Respondent

This Complaint came up for final arguments before this Authority in the presence of Thiru Vivek Dwivedi, the authorized representative of the Complainant and of M/s. P. Dinesh Kumar and Ms. M.Alfiya – Counsel for Respondent and upon hearing the arguments of both the parties this Authority passes the following order.

FINAL ORDER

This Complaint relates to delay in handing over of apartments in Flat No.F-101 and B-401.

2. In the Counter Affidavit the Respondent has stated that the date of delivery for Flat No.F-101 is December, 2019 as per the agreement for projection promotion and construction, dated 15.06.2017 registered as document No.4365 of 2017. Therefore, this complaint is premature and may be dismissed.

3. As we are now in the month of August, 2020, the Authority presumes that the apartment would have been constructed and completed in all respects, if so, the Authority directs the Respondent to hand over the flat / apartment to the Complainant strictly as per the terms and conditions of the construction agreement dated 15.06.2017.

4. The Respondent has stated that in respect of Flat No.B-401 the date of delivery indicated in the agreement dated 15.06.2017 for project promotion and construction is December, 2017. Application for issuance of Completion Certificate was duly made on 31.05.2017 with CMDA. The Completion Certificate was issued on 26.07.2018 and the apartment is ready for possession and the project is exempted from registration with this Authority and hence this Complainant is not maintainable.

5. Therefore, the Authority holds that part of the Complaint in so far as it relates to Flat B-401 is not maintainable and it is disposed of accordingly.

Sd/-...13.08.2020
MEMBER (M), TNRERA

Sd/-...13.08.2020
MEMBER (J), TNRERA

Sd/-...13.08.2020
CHAIRPERSON, TNRERA

/TRUE COPY/FORWARDED/BY ORDER

13/8/2020
13.8.2020
ADMINISTRATIVE OFFICER (i/c)