

THE RAJASTHAN REAL ESTATE REGULATORY AUTHORITY,  
JAIPUR

**Complaint No. RAJ-RERA-C-N-2024-7361**

Meera Yogi

...Complainant

Versus

Mojika Real Estate & Developers Pvt. Ltd.

...Respondent

**P R E S E N T**

**Smt. Veenu Gupta, Hon'ble Chairperson**

- (1) Adv Kuldeep Kumar Sharma, on behalf of the complainant
- (2) Adv Nisha Gandhi proxy for Adv Dinesh Chandra Sharma, on behalf of the respondent through VC

**Date of Order: 07.07.2025**

**O R D E R**

1. The factual matrix of the present matter reveals that the complainant has lodged a complaint under Section 31 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as "the Act"), pertaining to the project "**Jagdish Homes**," bearing registration number RAJ/P/2019/975.

2. The present complaint pertains to the delay in handing over possession of Flat No. 310 in the said project booked by the complainant with the respondent. The total sale consideration agreed between the parties was Rs. 6,44,662/-. An Agreement to Sale was duly executed between the parties on 07.12.2020. It is not disputed that the complainant has paid the entire sale consideration amount to the respondent. Subsequently, a Sale Deed in respect of the said unit was executed in favour of the complainant on 22.03.2022. The complainant contends that possession of the flat was due in January 2021; however, the respondent failed to hand over the same, despite repeated requests.





Accordingly, the complainant has prayed for the delivery of possession along with interest for the delayed period.

3. The respondent has filed a reply, contending that the construction of the said flat has been completed and possession has already been handed over to the complainant. It is further stated that the sale deed was executed and the key of the flat was given to the complainant, which constitutes symbolic delivery of possession. However, the respondent has also admitted that the complainant pointed out certain incomplete works within the flat and insisted on completion of the same prior to taking physical possession. According to the respondent, the rectification work was completed and the complainant was duly informed to take possession, but he failed to do so.

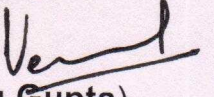
4. Having heard the complainant and perusal of the record available, this Authority is of the view that the sale deed has already been executed and complete payment has been done to the respondent towards total sale consideration. The same is not disputed by the counsel for the respondent. Therefore, the respondent is directed to handover the possession of the unit to the complainant and complainant is to accept such delivery of possession.

5. However, since there has been delay in possession interest from the expected date of possession i.e., January 2021 till the day sale deed was executed i.e., 22.03.2022 at the prescribed rate of 9.10% highest MCLR of SBI + 2%, i.e., 11.10% per annum excluding moratorium period, if any, is allowed.





6. Compliance be made within 45 days of uploading of this order on the web portal of this Authority. Further, the complainant is at liberty to approach Adjudicating Officer for compensation.
7. The matter stands disposed of in terms of above directions.

  
(Veenu Gupta)  
Chairperson

