

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Bench of Mr. Naveen Verma, Chairman.

RERA/CC/336/2019

Rajnish Kumar and Jyoti KumariComplainant

Vs

M/s Vision Land Pvt. Ltd.Respondent

Project: Vision Polaris

14.10.2022

INTERIM ORDER

This matter was heard at length on 26.09.2022 and was placed for orders on 14.10.2021. Meanwhile, the Authority has received written application from the complainant on 11.10.2022 raising a number of issues. The complainant is requested to send a copy to the respondent if they have not sent earlier to the respondent who may file their reply within 10 days.

The respondent informs the Authority that Rs.1 lakh has been paid as per direction of the Authority in the interim order dated 12.09.2022.

Learned counsel for the respondent and the promoter both assured that the affidavit as directed on 26.09.2022 would be sent today i.e. 14.10.2022. Needless to add, if they do not submit the affidavit, the penalty as initiated in the order dated 26.09.2022 will be recovered.

In the proceeding of dated 26.9.2022 a direction was also issued to the promoter to upload the Quarterly Progress Report (QPR) in the format as specified in the revised Regulations, 2022. They have shown a copy of report of the Architect. The promoter is reminded of the direction of the penalty payable if the QPR is not uploaded within three days. The promoter submits that the delay was on account of holidays. Even if this contention is accepted there is no justification for uploading the QPR on the working days i.e. 30.9.2022, 6.10.2022, 7.10.2022, 10.10.2022,

11.10.2022, 12.10.2022 and 13.10.2022 since the order was passed.

For the above mentioned seven working days a penalty of Rs.70,000/- @ Rs.10,000/- each day has already become due. The promoter is advised that any delay in filing QPR would now attract further penalty of Rs.15,000/- per day and this will be inclusive of holidays.

Learned counsel for the complainant reiterates his submission in the petition dated 11.10.2022 that despite direction from the Authority the plan of the project has not get approved by the Nagar Parishad, Danpaur. A letter may be sent to the Executive Officer, Nagar Parishad, Danapur Nizamat to take necessary action and ensure that the map is submitted by the promoter and approved by them at the earliest.

The promoter submits that an application for extension of registration has been submitted. The Authority clarifies that no such application will be considered without revalidation of map as approved by the competent authority and if they fail to do so this will be treated as lapsed project under Section 8 of the Act and the option for carrying out remaining development work will be given to the association of allottees.

Learned counsel for the complainant also draws attention of the Authority that on 01.07.2021 in which directions were given to the respondent to complete the building of the project.

The respondent will send copy of the submissions and the reply to the complainant well in time so the substantive matters can be heard and decided.

A copy of this order may be sent to Secretary RERA to ensure compliance.

List this matter for hearing before the Full Bench on 09.11.2022.

Sd/-
(Naveen Verma)
Chairman