

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Double Bench of Hon'ble Chairman, Mr. Vivek Kumar Singh

& Hon'ble Member Mr. S.D. Jha, RERA Bihar,

RERA/CC/1582/2020

Vijay Kumar Pandey..... Complainant

Vs.

M/s Agrani Homes Pvt. Ltd..... Respondent

For the complainant: In person

For the Respondent: None

Project:—I.O.B. NAGAR, BLOCK-J

ORDER

28.08.2024 Hearing taken up. The complainant is present. The respondent is absent.

2. The complainant submits that he had entered into an Agreement with the respondent on 18.07.2018 to purchase Flat no.604 on 6th floor in Block J of the project "IOB Nagar" on consideration amount of Rs.23,04,960/-. He further submits that the complainant has already paid more than 80% of the total consideration money. He also submits that the project is complete but amenities like firefighting apparatus, lift etc., have not been provided to the apartment. He wants that an order may be passed for execution of Sale Deed by the respondent – promoter in his favour. He also submits that he is willing to pay the remaining amount of consideration money at the time of execution of Conveyance Deed.

3. Perused the record. The Authority observes that the respondent – promoter has neither honoured the commitment of completing the project within the specified period of time nor provided the flat in spite of getting payment more than 80% of the consideration amount. The Authority also observes that the respondent - promoter neither ever appeared before the Adjudicating Officer nor the Authority in spite of sufficient opportunities provided and several notices issued to

him. Considering the hardship being faced by the complainant and also the indifferent and non-cooperative attitude of the respondent – promoter, the Authority is left with no option but to dispose of this case on the basis of material available on the record and, accordingly, this case is being disposed of today.

4. Taking into consideration the aforesaid facts, the Authority directs the respondent – company and its Director Mr. Alok Kumar to complete the project with all amenities as per Agreement, handover possession of Flat no.604 on 6th floor in Block J of the project “IOB Nagar” and execute Conveyance Deed in favour of the complainant after completing all legal formalities within a period of two months from the date of issue of this order. The complainant is directed to make payment of remaining amount of consideration money before execution of the Conveyance Deed.

5. The complainant is at liberty to move the Adjudicating Officer, RERA, for compensation, if any, as provided under the provision of the RERA Act, 2016.

With the aforesaid observations and directions, this case is disposed of.

Sd/-
S.D. Jha
Member

Sd/-
Vivek Kumar Singh
Chairman