

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR
Before the Double Bench of Mr. Naveen Verma, Chairman and
Mr. S.D. Jha, Member

Case No: RERA/CC/1624/2020

Rekha Kumari

...Complainant

Vs.

M/s Agrani Homes Pvt. Ltd.

...Respondent

Project: Agrani Ashoka

19.10.2022

21.10.2022

ORDER

This matter was last heard on 11.10.2022.

The case of the complainant is that she booked a flat bearing flat no. 301A for a consideration of Rs. 34,90,112/- in respondent's project. The complainant has further stated that the flat was to be handed over by June 2015 but the respondent had failed to hand over the same within the stated time period. She prayed for the possession of flat.

Perused the record of the case. No specific reply has been filed by the respondent. However, the representative of the respondent was present during the course of hearing and has not challenged the contentions of the complainant.

The Bench notes that an interim order dated 24-08-2022 was passed by the Authority directing respondent to submit in writing stating therein that when they will complete the flat, execute registered sale deed and handover the possession of the flat but it appears that despite giving opportunity to the respondent, they had not filed the written submissions and thus failed to comply with the direction of the Authority. Hence, a penalty of Rs. 10,000/- is

levied upon the respondent for the non compliance of the direction of the Authority.

During the last hearing on 16.09.2022, the brother of the complainant Mr. Vikash Kumar Singh has submitted that despite specific direction from the Bench, the respondent has not contacted to the complainant.

In the light of submissions made and documents placed, the respondent is directed to hand over the possession of flat to complainant after completing the project immediately within 3 months from the date of the issue of order. Further, the complainant is directed to pay the remaining consideration amount as soon as after the received of the possession letter, issued by the respondent. The respondent is also directed to execute the Sale Deed after handing over the possession to complainant and accordingly the office is directed to send a letter to the concerned sub-registrar regarding lifting the ban on the execution of registered sale deed in favor of the complainant.

If the respondent fails to comply with the order within above stated period then penalty of Rs. 5,000/- per day under section 63 of the Act would be imposed upon on the respondent.

With these directions, the matter stands disposed of.

Sd/-
S.D. Jha
(Member)

Sd/-
Naveen Verma
(Chairman)