

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Bench of**

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

**RERA/CC/32/2024**

**Pankaj Kumar Singh..... Complainant**

**Vs.**

**M/s SudhaEngicon Pvt. Ltd. .... Respondent**

**For the complainant: Ms. Kriti Suman, Advocate**

**For the Respondent: Mr. Vipin Ranjan, Director,**

**Project:—OM TOWER**

**ORDER**

**12.07.2024** Hearing taken up. Ms. Kriti Suman, Advocate, appears for the complainant. Mr. Vipin Ranjan, Director of the respondent – company, appears in person.

2. Learned counsel for the complainant submits that the complainant booked Flat no.203 in Block A on 2<sup>nd</sup> floor in the project “Om Tower” on 3.7.2019 on consideration amount of Rs.17,00,000/- out of which he paid Rs. 16,95,780/- from 3.7.2019 to 8.4.2021 and Shop no.21/F on 1<sup>st</sup> floor on consideration amount of Rs.8,55,000/- out of which he paid Rs.8,08,640/- from 3.7.2019 to 8.4.2021. Thereafter, Agreement For Sale for flat was executed on 24.7.2019 and Agreement For Sale for shop was executed on 23.7.2019. She also submits that the complainant has filed this complaint for possession of flat and shop. As per Agreement, the project was to be completed and possession of flat and shop was to be handed over in December, 2020, but till date the same have not been delivered. She further submits that vide proceeding dated 24.06.2024 the Director of the respondent – company was directed to deliver possession of flat and shop and to execute their Conveyance Deed before 12.07.2024 but the same has not been done.

3. The Director of the respondent – company appears and submits that he is still willing to handover possession

of flat and shop and to execute the Conveyance Deed in favour of the complainant and in this connection he sent a mail on 1<sup>st</sup> July, 2024 to the complainant to make payment to meet necessary expenses to be incurred over execution of the Conveyance Deed but he did not reply to the mail so far, to which the Authority directs the Director of the respondent – company to issue a letter to the complainant clearly mentioning therein the amounts head-wise which need to be deposited by the complainant before execution of Conveyance Deed in respect of flat and shop.

4. Taking into consideration the aforesaid facts, the Authority directs the respondent – company and its Director Mr. Vipin Ranjan to deliver possession of Flat no.203 in Block A on 2<sup>nd</sup> floor and Shop no.21/F on 1<sup>st</sup> floor in the project having all amenities as per the Agreement to the complainant and execute Conveyance Deed after completing all legal formalities within two months from the date of issue of this order. They are also directed to handover copies of completion certificate/occupancy certificate, possession letter & other title documents as per the provisions of the RERA Act, 2016, to the complainant before execution of Conveyance Deed. The complainant is directed to make payment of the remaining amount, which would be conveyed by the Director of the respondent – company through his letter, before execution of the Conveyance Deed.

5. The complainant is at liberty to press other claims, which are in the nature of compensation, before the Adjudicating Officer, RERA, as per the provisions of the RERA Act, 2016.

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

**Sd/-  
S.D. Jha,  
Member**