

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**  
**Before the Bench of Mr. Naveen Verma, Chairman &**  
**Mrs. Nupur Banerjee, Member**

**Case No. RERA/CC/987/2020**

**Akhileshwar Kumar Singh**

v.

**Agrani Homes Real Construction Pvt. Ltd.**

**Project – I.O.B Nagar Block :E**

**Present: For Complainants: In Person**

**For Respondent: Adv. Sumit Kumar**

**Mr. Satwik Singh, Legal Representative**

**Order**

**05-04-2022**

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**08-04-2022**

Hearing taken up. The complainant is present in person. Mr Sumit Kumar, learned counsel for the respondent company is also present.

The complainant submits that he booked a flat bearing No. 503 in IOB 'E' Block and paid full amount in 2013. He submits that he is living on rent and he and his wife both are aged suffering from various ailments and in urgent need of the flat. He submits that while construction is going on, the promoter may be directed to complete the work and hand over the apartment immediately.

The representative of the promoter submits that the project would be completed within 3-4 months. The Authority was informed that in some cases pertaining to the same project the promoter had agreed to complete the flat by 24.06.2022.

The complainant requested for the list of such allottees who are not paying their dues in time as this is delaying the completion of the project including his flat . He submits that he can also persuade them to pay the dues in the interest of the project.

It is submitted on behalf of the promoter that the list of allottees, who have not paid the dues, is being shared with the association of allottees but they will also share this with the complainant also. It was

also submitted that although a number of allottees have paid 90% of the amount as per the agreement to sale, there are some who are not paying the dues and when they asked to do so, they said that since they have filed a case before the Authority, they will make the payment after the matter is disposed by the Authority.

The Authority observes that no order of stay in regard to payment of the dues has been passed by it. It is clarified that the obligation of the allottee has been defined under section 19(6) of the RERA Act and they are required to pay in the manner as mentioned in the agreement to sale. The Act and the Rules also provide for action to be taken by the promoter in the event of non-payment of dues by the allottee in the manner as laid down in the statute.

The Bench directs the respondent company and its Directors to complete and hand over the flat by 24.06.2022, failing which Rs.1000/- per day fine will be imposed.

With these observations and directions, the matter is disposed of.

Sd/-

**Nupur Banerjee**  
(Member)

Sd/-

**Naveen Verma**  
(Chairman)