

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mr. S.K. Sinha, Member.

Case No.CC/521/2019

Mr. Lal Babu Singh and others.....Complainants

Vs

M/s Agrani Homes Real Services Pvt Ltd & Ors.....Respondents

Present: For Complainant: Mr. Sharad Shekhar, Advocate.

For Respondent: None

10/12/2020

ORDER

Hearing taken up through video conferencing. Mr. Sharad Shekhar, learned counsel of the complainants is present. Today, no one has appeared on behalf of the respondent company.

Learned Counsel for the complainant submits that the petition along with document has already been sent to Mr. Alok Kumar, Director of the respondent company.

It has been observed by the Bench that the two development agreements between the parties dated 19/09/2014 and 07/12/2016 have lapsed due to non performance of terms of the contract within time and now it has no legal effect what so ever. From the perusal of the record it has been found that the respondent is not intending to renew the development agreement with the complainant and respondent also not applied for any proposed building plan/map to the municipal authority for map sanction. It has been further observed by the bench that for any project as per RERA there should be a sanctioned Map and valid development agreement along with other relevant clearance required as per Bihar Building Bylaws, 2014. But here the respondent nowhere intimated to the RERA about any project related to present complainants.

Therefore, it is directed to the registration wing of RERA not to give any registration certificate to the respondent company pertaining to project in question i.e. “*Agrani ShivIndu Bhawan*” without fresh consent of the complainants. If any booking has been done by the respondent then in that case the respondent shall returne the booking amount to the consumers’ forthwith. Further, a cost of Rs.25000/- has been imposed on the respondent company for evading the hearing, not filing the reply and causing mental agony to the complainants. The cost has been directed to be given to the complainants within 30 days of this order. And for other reliefs as prayed the complainants may go to civil court or may invoke arbitration clause.

Thus, the case stands disposed off.

Sd/-

S.K. Sinha

Member, RERA Bihar