

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Bench of Mr. Naveen Verma, Chairman

RERA/CC/1442/2020

Sarita Singh @ Sarita Devi

.....Complainant

Vs

M/s Agrani Homes Pvt. Ltd.

.....Respondent

Project: IOB Nagar Block Main phase.

19.09.2022

ORDER

Hearing taken up.

Learned counsel for the complainant Mr. Mukesh Kumar has filed a supplementary reply in which she has reiterated the request for possession of flat. The respondent is absent. The Authority recalls that an interim order was passed on 12.8.2022 in which the respondent was directed to file reply within one week.

Perused the records no reply has been filed by the promoter as yet. A penalty of Rs.10,000/- was imposed upon the promoter for noncompliance of direction of the authority. The promoter is directed to deposit the penalty forfeit. The Authority imposes a cost of Rs.2,000/- on the promoter to be paid to the complainant for not appearing before the Authority and not filing the response.

The learned counsel for the complainant submits that the copy of the supplementary reply has been sent to the respondent. He further submits that the flat is available and nobody is residing there.

Since the respondent has not given any reply despite having been given many opportunities to do so, the claim of the complainant is admitted.

Learned counsel for the complainant submits that out of total consideration amount of Rs.19,07,165/- the complainant has deposited Rs.16.50 lakh at the time of booking which is

mentioned in the Memorandum of Understanding (MOU) executed between them on 03.03.2015. He submits that the complainant is willing to pay the remaining amount of Rs.2,57,165/- within one month.

The respondent is directed therefore to receive the remaining balance amount within one month of date of order and execute Deed of Conveyance within 15 days thereafter and handover possession of flat in project IOB Nagar Main Phase commercial to the complainant .

The respondent will provide all the amenities as committed under the conditions mentioned in MOU.

The complainant has also sought compensation and interest on various occasions for which they have liberty to approach the court of Adjudicating Officer.

With directions and observations the case is disposed of.

Sd/-
(Naveen Verma)
Chairman