

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mrs. Nupur Banerjee

Complaint Case No. RERA/CC/237/2019

Rakesh Kumar.....Complainant

Vs

M/s Uthan Builders and Developers Pvt. Ltd.....Respondent

Project: Manorma Shambhu Shree

Present: For Complainant: Mr. Prabhakar Nath Rai, Advocate

For Respondent : Mr. Sumit Kumar, Advocate

ORDER

27-07-2022

The matter was last heard on 20-06-2022

This complaint has been filed seeking relief to direct the respondent to complete the project in terms of the Projects Agreement and to install the generator, lift, separate transformer etc. and construct boundary wall of Apartment.

The complainant has placed on record Development Agreement dated 03-07-2010 and Sale Deed dated 16-03-2013.

During the course of hearing on 11-05-2022, learned counsel for the complainant has submitted that the lift has been installed but it is not functional. Further, learned counsel submitted that generator set installment and plaster work of boundary wall is still pending.

Learned counsel for the respondent has submitted that they have fixed the lift but electric connection has not been given and will be taken soon.

During the last hearing on 20-06-2022, learned counsel for the complainant has submitted that the lift is not operational, generator is not operational.

Learned counsel for the respondent has submitted that all the materials have been dumped. They are ready to install the lift and generator and do the other plastering work.

After the perusal of documents on record and taking into consideration, the submissions made by both the parties and also taking the assurance of learned counsel for respondent submissions during the last hearing that they are ready to complete the all pending work in building, the Bench hereby directs respondent and their directors to complete all the works as stated by complainant in complaint petition and install the lift and generator as promised at the time of

booking and in consonance to Development Agreement as well as Sale Deed within 60 days of issuance of this order. If the respondent fails to complete the works in 60 days, then a penalty of Rs.1,000/- for each day of delay would be imposed upon respondent.

With this direction, this complaint is disposed of.

Sd/-
Nupur Banerjee
Member