

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mr. Naveen Verma, Chairman

Case No.CC/295/2021

Pradeep Kumar DeepakComplainant

Vs

M/s Agrani Homes Real Marketing Pvt. Ltd.....Respondent

Project: Agrani Prakriti Vihar

22/06/2022

Order

This matter was last heard on 20-05-2022.

The case of the complainant is that he booked a plot in the project, Agrani Prakriti Vihar for a total consideration of Rs.12,10,000 and paid a sum of Rs.10,00,000 . Memorandum of understanding was executed between the parties. The complainant has filed the present case seeking possession and registration of the plot.

The complainant has placed on record copy of M.O.U , K.Y.C and money receipt against payment of Rs.10,00,000 duly issued by respondent.

On the last date of hearing the complainant submitted that he along with other complainant booked a total of 7 plots. He further submitted that he and the other complainants are ready for registration of 5 plots . He further submitted that all the complainants want that the amount paid for all the 7 flats to be adjusted against the payment of total consideration for 5 plots and registration of other 2 flats be made after payment of remaining consideration amount.

Although the representative of the respondent requested time to file reply, it has not been filed as yet.

The Bench takes note of the submission that the complainant is

willing to take possession of the plot but some amount of the consideration is yet to be paid. The complainant and his relatives/associates have filed different cases but they are seeking relief that the amount paid for one plot be adjusted against some other plot(s). In that event the amount paid against this plot would have to be adjusted against the dues in respect of other plots that his relatives/associates had booked.

Having heard the submissions the Bench hereby directs the complainant to submit on oath that the amount of Rs 10 lakhs paid by him against the plot in question may be adjusted against the dues of other plots booked by his relatives/associates so that the remaining consideration amount is received by the promoter. The Bench directs that thereafter the respondent company and their Directors would give the letter of possession, demarcate the plot and handover the possession to other complainants after adjusting the payment received for this plot within sixty days of issue of this order. The promoter is also directed to execute the deed of conveyance in favor of those allottee(s) at the earliest.

The complainant would be at liberty to pay the entire consideration amount for this plot and seek possession and transfer of title thereof.

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

Sd/-
Naveen Verma
(Chairman)