

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Bench of Mr. Naveen Verma, Chairman**

**Case No. RERA/CC/611/2021**

**Kumari Neha**

**.....Complainant**

**Vs**

**Agrani Homes Pvt. Ltd.**

**.....Respondent**

**Project: IOB Nagar, Block I**

**01/06/2022**

**ORDER**

Hearing taken up. Both the parties are present.

The complainant submits that she has deposited more than Rs.17 Lakh for a flat out of the total consideration of Rs.30 Lakh. She further submits that there is no satisfactory progress in construction work of the project although, the time of completion of project is 31<sup>st</sup> July, 2022. She submits that as the flat is not likely to be completed by 31<sup>st</sup> July, 2022 she would prefer to take refund.

Representative of the respondent submits that if the complainant wants refund, then she should give letter to them for cancellation after which the amount will be refunded.

Perused the record. The complainant has filed this petition for possession of the flat. If she intends to change the relief sought then she would have to send a letter to the Authority and to the promoter. During hearing she submits that she would like the flat and for this purpose she has deposited more than Rs.17 Lakh against the total consideration amount of Rs.30 Lakh. She is not trusting the respondent and hence she is not paying the remaining amount.

The respondent submits that if the complainant does not pay the remaining amount the flat cannot be constructed and then he would press for cancellation.

The Bench observes that if the complainant wants possession of the flat, considering the trust deficit of the complainant, as in some case special dispensation could be considered in which the complainant deposits the amount due through demand draft in the name of the promoter with designated officer in RERA which would be released to the promoter after they carry out proportionate work. This arrangement would require the consent of both parties.

Both the parties agreed with this arrangement that if she deposits money with RERA the respondent will start work against that money in her flat only. The respondent submits that if she deposits demand draft with RERA and informs them then they will complete her flat.

The Bench directs the respondent to complete the work by 31<sup>st</sup> July, 2022 otherwise a penalty will be levied as in some other cases.

Let this demand draft should be deposited with Shri Anil Kumar, Legal In-charge, RERA.

With these directions the matter is disposed of.

Sd/-

**Naveen Verma**  
**Chairman**