

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mr. Naveen Verma, Hon'ble Chairman

RERA/CC/728/2019

Dinesh Kumar.....Complainant

Vs.

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

PROJECT: "Agrani Ashoka"

ORDER

12.08.2022

17-08-2022

This matter was last heard on 28.06.2022.

The case of the complainant is that he booked flat no. 401 in the project Agrani Ashoka, Block B, against which he paid Rs. 31,51,000/- in 2015. Considering the prolonged delay in handing over the possession of the flat, the complainant filed the present case praying for refund of the amount paid along with interest and compensation.

The complainant has placed on record copy of registered Agreement for sale dated 12-06-2015 and account statement.

Perused the record. The complainant has filed petition to amend the prayer from refund to possession of the flat and further requested for interest paid for loan and rent paid by him due to delay in the possession. The complainant has stated that 90% work of the project is complete and 10% is pending like some of the amenities. This prayer was reiterated during hearing.

The respondent has also filed reply stating therein that the complainant has got the possession of the flat. The representative of the respondent requested to lift the ban on execution of the conveyance deed.

The Bench observes that the promoter has to complete all the work of the project and to provide all the facilities and amenities as per the agreement for sale and brochure of the building/apartment as these facilities are the part and parcel of the project.

In light of the documents filed and submission made by both the parties the Bench hereby directs the respondent company and its Directors to execute a conveyance deed in favor of the complainant within 30 days of this order. The office may send a letter to the concerned Sub Registrar that the embargo in registration is relaxed to the extent that the conveyance deed for flat no. 401 in Block B of Agrani Ashoka may be executed.

The respondent is directed to pay interest to the complainant at the rate of marginal cost of fund based lending rates (MCLR) of State Bank of India as applicable for three years for the period of delay.

The complainant is at liberty to approach the Adjudicating Officer for compensation.

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

Sd/-
Naveen Verma
(Chairman)