

# **REAL ESTATE REGULATORY AUTHORITY, BIHAR**

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

**Case No. RERA/CC/1031/2021**

**Gopal Prasad Singh**

**.....Complainant**

**Vs**

**M/s Jascon Enterbuild Pvt. Ltd.**

**.....Respondent**

**Project- Naresh Chand Jascon Galaxy Mall**

## **INTERIM ORDER**

**4.7.2022:** This matter was last heard on 18.5.2022 and was posted for ex-parte orders on 25.5.2022. However, due to pre-occupation of the Bench in other matter order could not be passed.

This matter has been filed seeking direction to complete the project as per the Development Agreement; to obtain the completion certificate from the competent Authority and to provide schedule of delivery of flats as well as for compensation for late delivery.

The complainant has stated that the Development Agreement was signed on 4.8.2011; the map of the said building was passed by Nagar Parishad Danapur Nizamat on 23.5.2012. He has filed a copy of the Deed of Sale Agreement and the registered Development Agreement.

Perused the records. While the respondent was represented through his learned counsel on some occasions,

no reply has been filed despite time being granted to them. Registration certificate uploaded on the web page does not indicate that the extension of registration has been approved by the Authority. The promoter may clarify whether the registration is still valid or not. If the registration is lapsed the promoter may explain as to why the project may not be handed over to other promoter for completing the remaining work as provided in Section 8 of the RERA Act, 2016.

The Bench noted that the project is registered with the Authority however, no Quarterly Progress Report has been uploaded after 30.6.2021. The photographs of the project do not show that the project is near completion. The submission of the leaned counsel for the respondent during hearing that 90% of the work is completed is not supported by their quarterly report.

The complainant if he wishes may press this matter before the Adjudicating Officer for compensation for late delivery as the building is not complete as was mutually agreed between them.

**Issue notice** to the respondent as to why a penalty of Rs. 25,000/- be not imposed upon them for not fulfilling the obligations under Section 11 (1) of the Act and not uploading the quarterly progress report.

The Authority also recalls that the directions for filing a schedule for delivery of possession has not been complied for which a penalty of Rs. 3,000/- is imposed upon the respondent.

Put up for further hearing on 29.8.2022.

Sd/-

**Naveen Verma**  
**Chairman**