

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mrs. Nupur Banerjee

Complaint Case No. RERA/CC/1811/2020

Triloki Nath Pd. Srivastava.....Complainant

M/s DDL Infratech Pvt. Ltd.....Respondent

Project: Agrani Woods

For Complainant: In Person

**For Respondent: Mr. Rabindra Kumar, Advocate
Mr. Shiv Kumar, M.D.**

28/11/2022

ORDER

The matter was last heard on 01.09.2022 and was fixed for orders on 28.10.2022. However, due to pre-occupation of the Bench in other matter, order could not be pronounced on the date fixed.

1. This complainant petition has been filed seeking relief to direct the respondent to handover the possession of the plot. The complainant further also seeks compensation for mental and physical harassment due to delay in handing over the possession of plot.
2. In short, the case of the complainant is that the respondent has executed the Sale Deed No. 12627, dated 27-04-2010, in favor of complainant for the plot measuring 4800 sq. ft. on the consideration amount of Rs. 1.76 lakh after the payment of full consideration amount. It has been further submitted that respondent has given assurance to provide physical possession of plot but the same has not been provided with development till date. Hence, this complaint.

3. Perused the record of the case. The respondent has filed an application on 04-08-2022 along with copy of exchange deed and receipt of map submitted before Patna metropolitan, Patna and prayed to dispose of the case in the light of submissions made.

The Bench takes the notes of committee report dated 18-02-202 placed on record for kind perusal as submitted by the committee went for inspection as per the direction of the Authority by giving their findings therein.

In the light of the submissions, advanced by learned counsel for the parties and documents placed, this Bench deals the issue raised in the present complainant in the following manner:-

As regards the possession of plot, the Bench takes the notes of exchange deed placed on record by respondent as well as the submissions of the parties in respect to the same during the last hearing and observes that the grievances of the complainant has been addressed and complied by the respondent.

As regards the receipts of map placed by respondent submitted before the competent authority is concerned, the Bench takes the notes of the same and directs the respondent to provide the copy of map to allottees as well as complainant as soon as it gets approved by the competent Authority. In meanwhile provide a copy of map submitted during taking the registration of the project from the Authority to complainant or allottees who wish to take.

As regard Development is concerned, the Bench takes the notes of submissions of complainant regarding all the work is done as well as photographs showing development of the project, placed by the respondent on affidavit as well as by the allottees during the course of hearing with batch of cases of this project as well as many photographs and videos of the project indicating development shown during the course of hearings with batch of cases of this

project by respondent and observes that it cannot be said that no development work has been done by the respondent at the project site but yes, few more works are needed to be done at the project site to say that project is complete and developed in all respect, hence, taking the notes of validity period of registration of the project is from 25-10-2019 to 31-12-2024, the Bench, directs respondent to complete the work of development at the project sites required to be completed as per agreement within the validity period of project or as soon as possible, so that, complainant/allottees can stay/ live there in better environment.

As regards claim for compensation is concerned, the complainant is at liberty to press the same before the A.O. as per the provisions of the Act.

With these directions and observations, this complaint petition is disposed of.

Sd/-

Nupur Banerjee
Member