

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Double Bench of Mr Naveen Verma, Chairman,  
& Mrs Nupur Banjerjee, Members**

**Case No. RERA/CC/545/2019**

**Anuradha Pandey .....Complainant**

**Vs**

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

**Project: IOB Nagar, Block Main Phase**

**Present: For Complainant: Mr. Alok Kumar, Husband  
For Respondent: None**

**02/08/2022**

**ORDER**

The matter was heard today. Mr. Alok Kumar, the husband of the complainant has appeared and submitted a hard copy of the affidavit dated 3<sup>rd</sup> January, 2022, which was sent by them through e-mail on 4<sup>th</sup> January, 2022.

The Legal Cell may examine whether the said mail was received or not and if so, circumstances under which this could not be linked up.

The records have been perused again. On 02.12.2021 the complainant had orally submitted that they want possession instead of a refund and they were requested to file an affidavit within two weeks and the matter was fixed for orders on 06.01.2022. Since the affidavit was not on record, final orders were passed on the basis of relief of refund sought in the complaint petition filed by the complainant. However, in view of the affidavit confirming the oral submission that they want possession, paragraph-8 at page-3 of the order dated 06.01.2022 is rectified as follows:

“Having heard the submission of both the parties the Authority hereby directs the respondent Company and the Directors to complete the project and hand over the possession along with other flats pertaining to ‘T’ Block of IOB Nagar regarding which orders have been passed. The Bench also takes note of the submission of the complainant that they have paid a total payment of Rs.22 lakh and that the remaining amount of consideration would be paid on the progress of the work. The Authority takes note of the directions given

to the promoter and the penalty imposed by the order dated 14.01.2022. Further action may be taken to recover the penalty from the promoter. In the event of the promoter not handing over the completed flat to the complainant within the period specified in respect of 'I' Block, the promoter would pay a penalty of Rs.1,000/- for everyday delay.”

The other parts of the order remain unchanged.

Sd/-

**Nupur Banerjee**  
**Member**

Sd/-

**Naveen Verma**  
**Chairman**