

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mrs. Nupur Banerjee

Complaint Case No. RERA/CC/1677/2020

Dr. Nidhi Rani.....Complainant

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

Project: Agrani Woods /Agrani Infra Pvt. Ltd.

For Complainant: Mr. Bipin Bihari, Advocate

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

11/11/2022

ORDER

The matter was last heard on 18.08.2022 and was fixed for orders on 23.09.2022. 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 provide physical possession of land or refund the amount along with interest @ 18% per annum.
2. In short, the case of the complainant is that the respondent has executed the Sale Deed No. 7952, dated 16-07-2014, in favor of complainant for the plot measuring 13610 sq. ft. on the consideration amount of Rs. 15 lakh after the payment of full consideration amount. It has been further submitted that accordingly the mutation of land was done in her favor on 26-04-2018 but the possession of plot along with possession letter has not been given to her after continuous approached to respondent. It has been further submitted that a legal notice dated 12-03-2020, was also sent to respondent but no reply to that has made by the respondent. Hence, this complaint.
3. Perused the record of the case. The respondent has filed an application on 04-08-2022 along with copy of rectification deed and receipt of map

submitted before Patna metropolitan, Patna and prayed to dispose of the case in the light of submissions made.

4. During the last hearing, learned counsel for the complainant has submitted that the mutation is not done. They have handed over the possession. It has been further submitted that complainant has constructed the boundary wall. It has also submitted that so far development work is concerned, complainant is not aware whether it is as per agreement or not. So, only mutation is required for which she has already applied

Learned counsel for the respondent has submitted that the development has been done as per the agreement. It has been further submitted that complainant has been requested to get the mutation done.

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 submissions of the parties during the course of hearings that possession of plot has been handed over and observes that this issue has been addressed and complied by the respondent.

As regard Development is concerned, the Bench takes the notes of photographs showing development of the project, placed before the Bench by the parties 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 as well as photographs placed on record 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 mutation is concerned, the Bench takes the notes of submission of complainant made during the last hearing that complainant had applied for the same and directs respondent to cooperate with the complainant in providing any documents required to get mutation of plot done in her favor.

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