

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR
Before the Double Bench of Mr. Naveen Verma, Chairman
& Mrs. Nupur Banerjee, Member

Case No. RERA/CC/707/2019

Bhagwan Singh & others.....Complainants

Vs

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

Projects: Maurya Palace

Present: For Complainant: Mr. Rakesh Roshan, Advocate
For Respondent :None

HEARING THROUGH VIDEO CONFERENCING/PHYSICAL MODE
PROCEEDINGS

30-11-2021

Hearing taken up. Mr. Rakesh Roshan, learned counsel is present on the behalf of Complainants. No one is present on the behalf of respondent company.

The Learned counsel of the complainants submits that they had entered into development agreement with the respondent company for the construction of multi stored building project Maurya Palace over the land of 62.4 decimal belonging to complainants. The complainants further submits that it was assured by the respondent that within 3.5 years, the building will be completed but no construction has started yet. He further submits that the RERA registration was granted in 2017 and extension of completion duration was granted till 30-11-2021 but no construction has been started so far therefore requested to issue notice for revocation of project under section 7 of the RERA Act, 2016. He also requested to pass order for the cancellation of agreement between the complaints and respondent.

The Registration Wing is directed to issue notice for revocation u/s 7 of the Act, 2016 to the respondent company to show cause as to why the registration granted may not be revoked.

The Bench observes that the Authority is not vested with a power to issued direction for the cancellation of agreement as the same falls within the jurisdiction of civil court. However, as per the Bihar RERA Regulations,2021, since the land owner is an allottee he may file a fresh complaint under Sec 31 of the Act specifying the relief sought from the Authority for protecting the rights of land owner -allottees.

The Bench impose penalty of Rs.25,000/- upon the respondent company for his non- appearance today.

With these observations the matter is disposed of.

Sd/-
Nupur Banerjee
Member

Sd/-
Naveen Verma
Chairman

