

REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

Case No. RERA/CC/907/2020

Rameshwar Nath PrasadComplainant

Vs

M/s Agrani Homes Pvt. Ltd.Respondent

Project: IOB Nagar

**Present: For Complainant: In person
For Respondent: Mr. Satwik Singh, L.R.**

04/08/2022

ORDER OF RECTIFICATION

Hearing taken up. Both the parties are present.

The complainant had mentioned this case on 02.08.2022 for the admission of rectification under section 39 of the RERA Act, 2016.

Heard both the parties at length. Rectification is allowed.

The complainant has appeared and submitted a hard copy of the application for rectification dated 18.4.2022.

The records have been perused again. On 04.08.2022 after mentioning the rectification of the order passed on 6.01.2022/14.01.2022 in this case.

The complainant had submitted that they want possession instead of a refund . The complainant was requested to file an affidavit within two weeks and the matter was fixed for orders on 06.01.2022/ 14.01.2022. 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 ‘I’ 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 the entire amount of consideration. 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.”

Other parts of the order remain unchanged.

With these observations, the matter is disposed of.

Sd/-

Nupur Banerjee
Member

Sd/-

Naveen Verma
Chairman