

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Hearing Before Single Bench of Mrs. Nupur Banerjee, Member

Case No. :- RERA/CC/993/2021

Abhay kumar Complainant

Vs

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

Project: I.O.B Nagar,
Block : I

Present: For Complainant: Mr. Binod Kumar Sinha, Advocate
For Respondent: Mr. Alok Kumar, MD

28.02.2022

Order

This matter was last heard along with the batch cases before the bench on 17-01-2022.

The case of the complainant is that the complainant booked flat no. 405 in Block "I" in the project I.O.B Nagar Main Phase having area 1300 Sq.ft. for total consideration of Rs. 29,28,320. As per the petition and complaint filed by the complainant he has made payment of Rs.20,11,568 but according to the documents filed by the complainant he has paid Rs.22,92,668 and the details of which are as follows:- Rs1,00,000 vide cheque no. 000022 for which money receipt no. 1005 dated 16/12/2012 was issued and Rs.1,75,000 cash for which money receipt no. 434 dated 24.04.2016 was issued and Rs.20,17,668 through loan in various instalments. MOU was executed on 03.06.2016 according to which the construction was to suppose to be completed by June 2017 with a grace period of 6 months but due to delay in completion and handing over of project the

complainant has filed the case seeking relief for immediate completion and handing over possession.

The complainant has placed on record money receipt no. 1005 dated 16/12/2012 and money receipt no. 434 dated 24.04.2016, Loan Account Statement and copy of Aadhar card.

The respondent has not filed any specific reply in this case. However, Mr. Alok Kumar, Managing Director of the respondent company was present on the last date of hearing and has not challenged the submission of the complainant and the facts are being admitted.

During the hearing on 07.12.2021 the complainant has submitted that he had booked a flat in IOB Nagar Block –I and he is part of association of allottees and further that he wants the possession of flat. It has further also been submitted by the complainant that the agreement for sale is not executed by the respondent till date and requested to direct the respondent to execute the same.

Mr. Alok Kumar, MD, during the hearing on 07-12-2021, has submitted on the behalf of the respondent company that construction of the project is going on and prayed to give specific direction to the registry office to execute agreement for sale to remaining allottees of Block – I and to give specific direction to the bank for releasing the loan to the allottees of this block.

During the last hearing on 17-01-2022, learned counsel for complainant submitted that agreement for sale is not executed by the respondent so far and requested to direct the respondent to execute the same, so that they can take loan.

Mr. Alok Kumar, MD present in person on the behalf of respondent company had submitted that construction is going on and reiterates his prayer made before double bench hearing on 2-12-2021 in RERA CC/1563/2020 along with batch of cases in IOB Nagar, 'I' Block project regarding giving specific direction to Registry office to execute agreement for sale to remaining allottees and to give specific direction to bank for releasing the loan to allottees of this block.

On the basis of submissions and taking into the consideration the documents filed, the bench directs the respondent company to handover the possession of flat to complainant within 6 months and in case of default, they would be liable to pay Rs.10,000/- for each day of default and to file certified ledger account as of 1st November,2021 pertaining to 'I' block and also inform the registration wing of the same and on the submissions of same, the Registration Wing will notify the new account on the website accordingly IG Registration may inform District Sub Registrar.

With these observations and directions, the matter is disposed of.

Sd/-
Nupur Banerjee
(Member)