

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Mr. Naveen Verma, Chairman

Case No. RERA/CC/1652/2020

Abha Kumari.....Complainant

Vs

M/s Vision Land Pvt. LtdRespondent

Project: Vision Galaxy

04.08.2022

ORDER

The matter was last heard on 02.06.2022.

The case of the complainant is that she purchased a flat in the project “Vision Galaxy,” of the respondent from Mr. Rajesh Kumar(who was the first purchaser/allottee of the same flat on 24.11.2018. The agreement of sale between her vendor Mr. Rajesh Kumar and the respondent was executed on 03.06.2011 but the respondent has not yet completed the project as promised with all amenities. She has alleged that the respondent has not yet handed over the completed flat and has not facilitated formation of association of allottees despite several communication having been made to the respondent through email, and WhatsApp.

The complainant has sought the following relief as work is yet to be completed by the respondent i.e. to provide proper electricity in the apartment as required more

than 200KLW while the respondent is only providing 64 KLW as on date; to form an association of owners of the housing complex; to provide two generators as per agreement; to provide four lifts as per agreement; to construct 20 feet approach road to the apartment; improper construction of guard room at the entry point; intercom facility; parking; transformer, community hall and CCTV. The project is not completed with all amenities and the respondent has not given the completion certificate to the complainant.

Therefore, she has filed this case praying to direct the respondent company to complete the project with all the amenities as per sale deed.

The complainant has placed on record a copy of the absolute sale deed executed between the parties and a copy of the letter sent to the respondent regarding handing over the amenities.

During the course of the hearing the learned counsel for the complainant reiterated the prayer of the complaint petition.

The learned counsel of the respondent submitted that most of the complainants are residing in their respective apartments since 2016. The promoter assured that all the amenities, as mentioned in the brochure/agreement to sale will be provided. Steps are being taken for the formation of allottees association.

Perused the records. The Bench notes that neither the complainant has complied

with its direction which are not being provided by the respondent nor has the promoter filed an affidavit stating therein the list of amenities which have been provided.

The Authority observes that the promoter has to complete all the work of the common areas and provide all the facilities and amenities of the common areas which can be used by all the allottees of the building/apartment as these facilities are the part and parcel of the project and hand over these to the association for maintenance.

The Authority directs the respondent company to complete all the remaining works in the building and provide all the facilities as mentioned in the prospectus, brochure of the project and agreement for sale as well as in Sale deed within one month from the date of this order. The promoter is directed to allot the parking space with demarcation to respective allottees within 15 days of issuance of this order.

If the promoter fails to complete the work within this period, the complainant is at liberty to approach the Adjudicating Officer for appropriate compensation as provided in Section 14(3) of the RERA Act, 2016.

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

Sd/-
Naveen Verma
(Chairman)