

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR

Before the Full Bench of Mr Naveen Verma, Chairman,

Mr R.B. Sinha & Mrs Nupur Banerjee, Members

Case No. RERA/CC/1269/2020

Reeta KhareComplainant

Vs.

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

Project: Agrani Kailash – Block B

Present: For Complainant-

In person

For Respondent -

Mr. Alok Kumar, MD

INTERIM ORDER

28-10-2021

05-11-2021

The matter was last heard along with the batch of cases before the full bench on 30.09.2021.

The case of the complainant is that she purchased a flat no 403 in Block B having super build up area 985 sq feet in Kailash Agrani and an agreement for sale bearing deed no 15551 dated 27.11.2018 was executed to this effect. The complainant submits that total consideration amount was Rs 33,68,960/- and the respondent company promised to deliver the possession in the month of January 2019. The complainant further submitted that she has paid the entire consideration amount as per agreement but even after paying the amount, the respondent company has neither handed over the possession nor is interested in completing the project. The complainant has therefore prayed for handing over of the possession along with compensation and in case of failure to handover, refund of the amount paid.

Perused the records of the case. No reply has been filed by the respondent company. However Mr. Alok Kumar, MD of the respondent company has been present on all the dates and not challenged the contentions of the complainant.

During the last hearing, the MD of the respondent company submitted that he would handover the possession of flat to the complainant in 6 months. The Bench directed the respondent company to handover the possession in 3 months and submit before the Authority a written submission putting on record his statements and that he will handover the possession in 3 months.

The Bench notes that there has been no compliance of the above direction by the respondent company with respect to filing of the written submission and therefore a penalty of Rs. 10,000/- is imposed upon the respondent company for non-compliance.

As far as the relief claimed by the complainant is concerned, she is directed to give a written submission whether she wants possession of the apartment or is seeking refund . The complainant is informed that the Authority does not have the power to entertain the claim for compensation and the same should be withdrawn and filed before the Adjudicating Office under relevant sections of the Act.

The respondent company is directed to state on affidavit that he would handover the possession to the complainant in 3 months.

Put up for compliance and hearing on 23-11-2021.

Sd/-
Nupur Banerjee
Member

Sd/-
R.B. Sinha
Member

Sd/-
Naveen Verma
Chairman