

JOINT AFFIDAVIT CUM UNDERTAKING

I, Sri..... S/o....., resident of .....

(Landowner)

And

Sri....., S/o.....,  
Director of ..... having office at.....

(Developer)

do hereby solemnly affirm and declare on oath as under:

1. That I, Sri ..... state that I was the lawful owner of the land bearing details .....
2. That I Sri .....state that for the purpose of the conceptualization and construction of the project..... upon the said land, I and Sri..... entered into a Development Agreement on..... vide deed no..... wherein a number of terms and conditions were laid down for us to abide.
3. That I Sri.....(landowner) declare that a sum of Rs..... has been received from Sri.....(Developer) as the non amount and I Sri.....(Developer) state that a sum of Rs..... has been paid by me to Sri..... (Landowner) as the non amount with respect to the said land.
4. That I Sri.....(Developer) state that due to the ongoing dispute between the developer i.e.,..... and the allottees and as per the direction of the Hon'ble Real Estate Regulatory Authority, Bihar, Patna, the original papers pertaining to the said land were deposited with the Authority and are still in their custody.
5. That I Sri..... (Developer) state that Sri..... who is the landowner of the subject land is ready to cancel the development agreement executed between us. Sri.....

(Landowner) is also ready to return the non amount received by him/her in lieu of such land from me i.e. the developer.

6. That we state that since the original documents have been deposited with the Real Estate Regulatory Authority, Bihar, Patna, we request the Authority to release the same in favor of the landowner i.e., Sri.....
7. That I, Sri .....(landowner) hereby deposit a demand draft of the amount received by me from Sri.....(Developer) in favor of “The Secretary, Real Estate Regulatory Authority, Bihar, Patna” payable at Patna.
8. That we state that thereafter with the intimation from the Real Estate Regulatory Authority, Bihar to the District Sub Registrar, I, Sri..... (landowner) shall get the development agreement cancelled from the District Sub-Registrar/Sub- Registrar,(Location) and upon cancellation, Sri.....(Landowner) shall furnish the said information to the Authority.
9. That we agree and state that upon receipt of such information, the Authority shall deposit and encash the DD issued by the landowner and distribute the amounts proportionately among the aggrieved allottees.
10. That we agree that the Authority would be free to encash the DD if intimation of cancellation is not received within 1 (one) month of return of original documents.
11. That we state that the aforesaid steps are being taken without any fraud, co-ercion and undue influence.

IN A WITNESS WHEREOF, we hereunto set and subscribe my hands at..... on this .....day of .....

Executant 1. ....

Executant 2. ....

Witnesses:

- 1.
- 2.