

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mr. Naveen Verma, Hon'ble Chairman

RERA/CC/1442/2020

Sarita SinghComplainant

Vs.

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

PROJECT: "Agrani I.O.B Nagar"

12.08.2022

Interim Order

This matter was last heard on 28.06.2022.

The case of the complainant is that she booked a flat in the project Agrani I.O.B Nagar. The memorandum of understanding was executed on 03.03.2015, but as the respondent has not handover possession of the flat till date, the complainant has filed this matter seeking relief to direct the respondent to handover the possession of the flat, to provide the completion certificate and execute the absolute sale deed. Other reliefs sought include direction to the respondent to provide all the amenities as mentioned under the terms of the memorandum of understanding dated 03.03.2015; to compensate the interest @ 10% on the total value of the land as the delay caused in the delivery of physical possession over the flat. The complainant has also claimed the compensation for Rs. 25,000/- for inconvenience, harassment and mental torture and Rs. 25,000/- for the litigation cost.

The complainant has placed on record K.Y.C dated 03.04.2014, a copy of Memorandum of understanding dated 03.03.2015, money receipts issued by the respondent company and a copy of the legal notice sent to the respondent dated 05.02.2020.

On the last date of hearing the complainant reiterated the

request for possession. The representative of the respondent submitted that alternate offer was proposed to the complainant but the response is awaited. The Bench directed both the parties to file reply within one week.

Perused the record. The Bench observes that no reply has been filed by promoter stating therein the response of the complainant for the alternate offer which was proposed.

A penalty of Rs 10,000/- is imposed on the promoter for not complying with the directions of the Authority.

The Bench observes that as the complainant has prayed for possession of a flat, the promoter is given another opportunity to file their reply on the response of the alternate offer proposed.

The Bench directs the respondent to file reply within one week with copy to the complainant. The complainant will give her response on this offer before the next date of hearing.

Put up on 29 August, 2022 for hearing/ order.

Sd/-
Naveen Verma
(Chairman)