

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of

Hon'ble Member Mr. S.D. Jha, RERA, Bihar,

RERA/CC/33/2024

WahidaKhatun..... Complainant

Vs.

M/s SudhaEngicon Pvt. Ltd. Respondent

For the complainant: Mr. Pawan, Advocate

For the Respondent: Mr. Vipin Ranjan, Director,

Project:—OM TOWER

ORDER

12.07.2024 Hearing taken up. Mr. Pawan, Advocate, appears for the complainant. Mr. Vipin Ranjan, Director of the respondent – company, appears for the respondent.

2. Learned counsel for the complainant submits that the complainant had entered into an Agreement For Sale with the respondent on 24.12.2018 to purchase Flat no.302 in Block A of the project “Om Tower” on consideration amount of Rs.19,00,000/- and the entire consideration amount was paid by the complainant but the respondent is avoiding to execute Absolute Sale Deed in spite of several reminders made and legal notice issued to him on 19.10.2023. As per the Agreement, possession of the flat was to be delivered by December, 2020, but till date possession has not been delivered.

3. The Director of the respondent – company appears and submits that he is still willing to handover possession of flat and execution of the Conveyance Deed in favour of the complainant and in this connection he sent a mail on 1st July, 2024 to the complainant to make payment to meet necessary expenses to be incurred over execution of the Conveyance Deed but she did not reply to the mail so far, to which the Authority directs the Director of the respondent – company to issue a letter

/2/

to the complainant clearly mentioning therein the amounts head-wise which need to be deposited by the complainant before execution of Conveyance Deed in respect of flat.

4. Taking into consideration the aforesaid facts, the Authority directs the respondent – company and its Director Mr. Vipin Ranjan to handover possession of Flat no.302 in Block A in the project having all amenities as per the Agreement to the complainant and execute Conveyance Deed after completing all legal formalities within two months from the date of issue of this order. They are also directed to handover copies of completion certificate/occupancy certificate, possession letter & other title documents as per the provisions of the RERA Act, 2016, to the complainant before execution of Conveyance Deed. The complainant is directed to make payment of the remaining amount, which would be conveyed by the Director of the respondent – company through his letter, before execution of the Conveyance Deed.

With the aforesaid observations and directions, this case is disposed of.

**Sd/-
S.D. Jha,
Member**