

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of

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

RERA/CC/515/2022

Mr. Pritu Singh Complainant

Vs.

M/s Grih Vatika Homes Pvt. Ltd. Respondent

For the complainant: Sri Bipin Bihari, brother – in -law

For the Respondent: None

Project: - URMILA VATIKA

ORDER

14.07.2023 Hearing taken up. Sri Bipin Bihari, brother – in – law of the complainant appears for the complainant. The respondent is absent. It was however informed by the Bench Clerk that the respondent has sent a time petition today on his WhatsApp. As such communication through the WhatsApp of Bench Clerk is not the proper mode of communication to the office of the Authority, the said request for adjournment is not accepted.

2. Brother- in -law of the complainant reiterates his submission that the complainant entered into an oral agreement with the respondent in March, 2013 to purchase two flats located at Bishnupur Pakri, P.S. Danapur, District – Patna, on consideration amount of Rs.45,00,000/-, out of which she paid Rs.33,99,350/- and thereafter after a long period of time registered agreement for sale for both the flats was executed on 25.6.2019. The flats were to be handed over within the specified time but that period expired on 30.6.2021 and till date despite of several opportunities given to the respondent possession has not been handed over and, therefore, he requests for handing over possession of both the flats with all amenities to the complainant as well as execution of their sale deed in her favour. He further submits that the complainant is ready to pay the remaining amount as per agreement.

3. Perused the record. The Authority observes that the respondent neither honoured the commitment made to the complainant of handing over possession of the flats within the time granted nor is showing interest in getting this case disposed of by appearing in the case in spite of repeated opportunities given to the respondent and in the last proceeding dated 28.6.2023 it was specifically mentioned that in case of non-compliance, the case would be disposed of on merit on the basis of material available on the record. Further, In the last proceeding dated 06.07.2023 also the Bench had observed that since sufficient time has been taken by the respondent no further adjournment would be given. Considering the hardship being faced by the complainant and also the indifferent and non-cooperative attitude of the respondent – promoter, the Authority does not think it proper to allow this case pending for further period and, accordingly, the case is disposed of today itself.

4. In the backdrop of the submissions made on behalf of the complainant and on going through the material available on the record, the Authority directs the respondent - company and its Director Sri Ranjeet Kumar Jha to hand over the physical possession of both the flats to the complainant with all amenities as per agreement dated 25.6.2019 within two months after completing all legal formalities. The complainant is directed to pay the remaining amount before execution of the sale deed in favour of the complainant.

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

sd/-
S.D. Jha,
Member