

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Full Bench of Hon'ble Chairman, Mr. Vivek Kumar Singh & Hon'ble Members Mrs. Nupur Banerjee & Mr. S.D. Jha, RERA Bihar, RERA/CC/328/2022, 364/2022, 571/2022, 67/2023, 70/2023, 82/2023, 87/2023, 88/2023, 172/2023, 280/2023 & 149/2023

Ashutosh Sourav, Prem Chandra Jha, Navnit Jha, Manoj Kumar, Arum Kumar Tiwari, Rajesh Kumar Singh, Abhinav Kumar Gaurav, Rajesh Kumar, Belal Akhtar, Anand Kumar & Binod Kumar..... Complainants
Vs.

M/s Anuanand Construction Pvt. Ltd. Respondent

Project:–SAI ENCLAVE “L BLOCK”

PROCEEDING

31.07.2024 Hearing taken up. Mr.Punit Kumar, Advocate, appears for the allottees' Association. Mr. Dheeraj kumar Roy, Advocate, appears for the complainant Belal Akhtar. Mr. Mohit Raj, Advocate, appears for the respondent without Vakalatnama after publication of public notice in the newspaper. He assures that he would file Vakalatnama within two days. Office is directed to obtain and place the same on the record.

Learned counsel for the allottees' Association submits that the complainants have formed an Association as registration of the project has already lapsed. He further submits that the Association is not capable to get financial viability of the project assessed by the Technical expert and he prays for getting the project assessed by the Technical Team of RERA, to which the Authority directs the allottees' Association to explore the possibility of getting the project evaluated by the Technical expert on their own. He further submits that if the respondent – promoter is intending to complete the remaining work of the project, he should file all related documents with copy to all the

allottees individually, to which the respondent's counsel submits that the Association should file written submission first with a copy to him and then he would file counter reply.

Learned counsel Mr. Dheeraj Kumar Roy, Advocate, appearing for the complainant Mr. Belal Akhtar submits that his client has already paid total consideration amount to the respondent and, therefore, the respondent may be directed to hand over possession of his flat and execute Conveyance Deed in his favour, to which the respondent's counsel object and Authority observes that since, the building is incomplete and as per provisions of Bihar Building Bye Laws, 2014, without meeting the due procedure as provided in Bihar Building Bye Laws, the Authority cannot pass any order. However, the complainant's counsel further submits that the complainant would go with the Association.

Learned counsel for the allottees' Association is directed to file written submission with the report of Technical Expert ascertaining the cost required for carrying out the remaining works of project with the proposal of financial viability along with copy of formation of Association within two weeks with a copy to the respondent who will file counter reply within two weeks with a copy to the complainant, who will file supplementary rejoinder within one month thereafter.

Put up for hearing on 16.10.2024.

Sd/-
S.D. Jha
Member

Sd/-
Nupur Banerjee
Member

Sd/-
Vivek Kumar Singh
Chairman