REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Mr. Ved Prakash,

Special Presiding Officer,

RERA/CC/326/2025

Shri Dinesh Pandey ……Complainant(s)

Vs

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

PROJECT: IOB NAGAR (A to F)

For the Complainant: Mr. Rabindra Kumar, Advocate

For the Respondent: Mr. Alok Kumar, Director

20.08.2026 **PROCEEDING**

Learned Counsel Shri Rabindra Kumar on behalf of complainant is physically present, but Shri Alok Kumar, Director of the Respondent Company appears through video conferencing.

2. Learned Counsel for the complainant submits that in spite of order dated 21.02.2019 passed by Hon'ble Members of the authority in RERA/CC 97/2018, neither the respondent is ready to execute sale deed nor delivery of possession and he has also to adjust interest amount at the rate of 8% of the amount deposited by the complainant with effect from 01.01.2015 till the date of delivery of apartment against the remaining amount payable by the complainant to the developer.
3. On the other hand, Director of respondent company submits that complainant has paid only Rs. 24,81,000/- out of total consideration of Rs.

30,70,000/-, and Block- D of the project is being constructed by the association of allottees, and the remaining amount to be paid by complainant will be used in the development of remaining part of the project. He further submits that other allottees have paid the remaining consideration and thereafter he has executed sale deed in their favour with respect to their allotted flats, but the complainant is adamant to get flat without payment of remaining consideration under the umbrella of order passed by Hon'ble Members. In such situation, he will file an appeal against the order dated 21.02.2019 passed by Hon'ble Members of the authority in the complaint Case No. 97/2018, and the matter has to be left to the allottees to decide the future of the action.

4. Considering the submissions as well as going through the record, it appears that the Hon'ble Members on 21.02.2019 have directed the respondent promoter to complete Block- D in the project along with amenities and obtain completion/occupancy certificate.

5. The Hon'ble Members have further directed the respondent to adjust the interest at the rate of 8% of the deposited amount with effect from 01.01.2015 till the date of possession of the apartment against the remaining amount payable by the complainant to the developer, and further after adjustment, if any excess amount remains to be adjusted, the same would be paid to the complainant.

6. The Respondent instead of producing order from the Appellate Court is taking regular adjournment without making compliance of the order passed by the Hon'ble Members. The payment of remaining amount by the complainant has been submitted by the director of respondent company in benefit of association of allottees for carrying out the remaining construction works of the Block D under Section 8 of RERA Act, 2016. But since the order passed by the Hon'ble Members is still in existence and not set aside

by any higher court, it is duty of the respondent to comply the same without any further delay. Hence, respondent is directed to either comply the order or place order of the Appellate Court, otherwise coercive steps will be taken against him.

Put up on 24.09.2026 for further hearing.

Sd/-

(Ved Prakash)

Special Presiding Officer