

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Bench of**

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

**RERA/CC/517/2023**

Parveen Kumar ..... Complainant

Vs.

M/s Namira Construction Pvt. Ltd. .... Respondent

For the complainant: In person

For the Respondent: Mr. Syed Shahid Imam, Advocate

**Project:– FAZAL IMAM RESIDENTIAL COMPLEX**

**PROCEEDING**

**02.09.2024** Hearing taken up. The complainant appears in person. Mr. Syed Shahid Imam, Advocate, appears for the respondent.

Learned counsel for the respondent has filed counter reply today and a copy of which has been served upon the complainant before the Bench.

The complainant requests for refund of his money of Rs.6,50,000/- along with interest which was paid to the respondent to purchase flat in the project.

Learned counsel for the respondent submits that this case is not maintainable as the complainant had paid Rs.5.50,000/- to the respondent - promoter to purchase a flat in the project in the year, 2005, but thereafter he remained slept for about 18 years. In the meanwhile, the project was completed in the year 2013 and all flats of the project were sold. The respondent is willing to refund that amount without any interest as the complainant has moved the RERA after about eighteen years of transaction.

The complainant submits that the case is maintainable because procedural matters of the project was completed after coming into effect of the RERA Act, 2016, to which the respondent's counsel submits that the complainant may be directed to produce the documentary evidence to

establish that procedural matters of the project was completed after coming into effect of the RERA Act, 2016.

The complainant is directed to file rejoinder annexing documentary evidences to establish that procedural matters of the project were completed after coming in effect of the RERA Act, 2016 as well as receipt showing payment of additional Rs.1,00,000/-, which is disputed by the respondent, within one week with a copy to the respondent's counsel who will file reply, if any, within one week thereafter.

Put up for hearing on 30.09.2024.

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