

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mrs. Nupur Banerjee

Case No. CC/985/2021

Akhileshwar Pd. Gupta & Manju DeviComplainant

Vs.

M/s Kanishka Buildcon Pvt. Ltd.Respondent

Project: Vrindavan Maheswari Apartment

Present: For Complainant: Mr. Jai Ram Singh, Advocate

For Respondent: Mr. Punit Siddhartha, Advocate

02/09/2022

PROCEEDING

Hearing taken up. Both the parties are present.

Learned counsel for the complainant submits that the complainant is the land owner. The prayer of the complainant is for a direction to the respondent to remove illegal construction made in the parking area, to allot the parking space, to install generator facility, intercom system, to provide the second lift as agreed by the promoter, to paint the outer wall, furnishing of the roof and car parking area. His further prayer is to provide the occupancy certificate and completion certificate and also provide the certificate of RERA registration. Show cause has been filed on behalf of the respondent.

Learned counsel for the respondent submits that the respondent has filed the show cause. The possession of the flat was provided to the land owner in 2017 itself. As far as the grievance regarding compensation, that remedy is available before the Adjudicating Officer. As far as generator is concerned, it has not been installed due to paucity of fund. We are in the process of installation. We undertake to get it done. One lift is already installed. We have annexed the chart of the parking space and we requested to park according to the chart. They also issued a letter to every allottee regarding his parking space. Many allottees encroached the parking of other allottee. That would the matter to be decided in the Civil Court. He submits that if it is in the sanctioned plan, it has to be done. Second lift is being installed.

The Bench heard both the parties and observes that in the sanctioned plan it is showing two lift. The respondent should do the work as sanctioned plan. They should also install the generator, give the parking

allotment letter and also install the intercom facility. All these things are to be done.

So far as the compensation is concerned, the complainant may file a separate petition before the Adjudicating Officer.

Put up for detailed order on 28.10.2022.

Sd/-

Nupur Banerjee
Member