

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Mr. Navenn Verma, Chairman

RERA/CC/1643/2020

Subhash Prasad Verma

.....Complainant

Vs

M/s Vision Land Pvt. Ltd.

.....Respondent

Project: Vision Galaxy

16.09.2022

Order

19.09.2022

The matter was heard on 4.8.2022 along with other batch cases and a detailed proceeding was drawn up in which substantive directions have already been given to the respondent-promoter.

This complaint was not finally disposed as the allottee had raised a specific allegation that the meeting of the association of allottees that was convened by the promoter on 26.06.2022 after the earlier directions of the Authority, was not disrupted by the land owner allottee, rather it was postponed by the promoter - Director of the company .

The allottee has since filed an affidavit stating the various deficiencies in the common areas and services and specifically confirming his statement that, in order to delay the formation of the society, the promoter deliberately created confusion and stated that the meeting was adjourned and has not convened a meeting thereafter.

The promoter was given an opportunity, on the last date of hearing, to file reply on the specific point of reasons for adjournment of the meeting of the association of allottees, while fixing the matter for orders on 16.9.2022.

Perused the records. No rejoinder or reply has been filed by the respondent.

The Authority, hence agrees with the submission of the allottee that the promoter has not complied with its direction and delayed the formation of association of allottees, to whom the common areas and services could be transferred for maintenance.

The Authority, invoking the provisions of Section 63 of the Real Estate (Regulation and Development) Act, 2016 imposes a penalty of Rs 200/- on the respondent company and its directors, for every day of default after 26.06.2022 for not forming the association of allottees as directed by it. The promoter would ensure that the amount of penalty so calculated is deposited within two weeks of this order.

The Authority also directs that if the promoter does not enable the formation of association of allottees within one week of this order, if they have not already done so, a penalty of Rs 1000/- would be imposed for every day of delay till the association is formed.

Directions on the substantive issues raised by the allottee and other complainants have already been mentioned in the proceedings of 4.8.2022, and these would form part of the final orders.

With these directions and observations, the matter is disposed of.

Sd/-

Naveen Verma

Chairman