REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mrs Nupur Banerjee, Member

Case No.CC/1090/2021

Ashok Kumar Agarwal ……...Complainant

Vs

M/s Dokania Developers Pvt. Ltd. …….Respondent

Project: Gokuldham

Present: For Complainant: Mr. Lokesh Kumar, Advocate

For Respondent : Mr. Pramod Kumar Singh, Advocate

16/02/2023 **PROCEEDING**

Hearing taken up. Learned counsel for both the parties are present.

Learned counsel for the complainant submits that a petition has been filed on behalf of the complainant u/s 35(1) of the RERA Act for constituting a committee to make an enquiry. The complaint is that the complainant has paid Rs.21 lakh in lieu of the booked flat No.403 at 4th floor measuring 1340 sq.ft. and oral agreement has been made. Thereafter possession of the flat was given to the complainant and the respondent has given the key of the flat. He submits that the complainant entered into the flat and made construction work. After that the contractor has stopped the work. On 19.12.2020 the contractor had gone at the flat and one of the partners has changed the lock of the flat. The complainant requested to open the lock but the builder has not opened the lock. The complainant spent Rs.20 lakh in interior work. Anyhow he wants possession of the flat.

Learned counsel for the respondent submits that this court has jurisdiction only to see the redemption matter. No written agreement has been made. Admittedly the complainant has paid Rs.10.50 lakh. Thereafter no payment was made. A petition has been filed on behalf of the complainant on 01.09.2022, against which the respondent has filed its rejoinder.

Both the parties are directed to file written submissions.

Put up for orders on 27.04.2023.

Sd/-

Nupur Banerjee
Member