

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mrs. Nupur Banerjee

Case No.CC/1211/2021

Pramod Kuamr SinhaComplainant

Vs

M/s Kirty Sagar Construction Pvt. Ltd.Respondent

Project: Kirti Raman Residency

Present: For Complainant: In person

For Respondent : Mr.

08/09/2022

PROCEEDING

Hearing taken up. Both the parties are present.

The complainant submits that he booked a flat bearing Flat No. 405 and out of total consideration amount of Rs.72 lakh, he paid Rs.1 lakh at the time of booking in November, 2020 but the flat has not been delivered by the respondent. The respondent has refunded the full amount in the account of the complainant in fraudulent manner. He wants possession of the flat. The project is registered with the RERA. The agreement for sale is not made. The complainant has made query but the respondent has not replied. He requested for agreement for sale but they have not taken any heed. They have not made any agreement for sale.

Learned counsel for the respondent submits that the complainant came to him and gives him money. The project is RERA approved. He has paid part of the booking money. The company decided to refund the amount. The amount has already been refunded to the complainant. On a query made whether the same booked flat was allotted to some other person or is still in the possession of respondent, upon which the learned counsel for the respondent submits that respondent has sold the flat to some other person on the same amount for which they will file an affidavit.

The complainant submits that the respondent has given the allotment letter.

Heard both the parties at length. Respondent is directed to file an affidavit in respect to their submissions. Further, both the parties

are at liberty to file their written submissions with the relevant documents, if any, within a week before the date for order fixed.

Put up for orders on 28.10.2022.

Sd/-
Nupur Banerjee
Member