

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mrs. Nupur Banerjee

Case No.CC/639/2019, 679/2019

Kishore Kumar Verma/ Gudia Devi.....Complainants

Vs

M/s Agrani Homes Real Marketing Pvt. Ltd.Respondent

Project: Agrani P.G. Town

Present: For Complainant: Mr. Gaurav Kumar, Advocate

For Respondent : None

09/09/2022

PROCEEDING

Hearing taken up. Mr. Gaurav Kumar, Advocate appears on behalf of the complainant. The respondent is absent.

Both the matters were last heard on 15-06-2022 and after hearing both the parties, order was kept reserved and direction was given to respondent to file an affidavit stating therein the specific flats offering to complainants mentioning the project name, block name, time period under which possessions will be handed over to the complainants. It appears that despite giving opportunities to respondent, respondent has not complied with the direction of the Authority, hence, for non compliance and giving false promise to complainants to offer alternative flats, the Bench impose a penalty of Rs.50,000/- upon respondent and directs to deposit the same within two weeks.

The Bench also takes the notes of petition of complainants for re-listing the matter for hearing stating therein that as per the last hearing direction, respondent has not communicated with the complainant and offers the flat and accordingly, the matter is listed again for hearing today.

Learned counsel for the complainants present submits that the respondent has not filed any affidavit till date. On the previous occasion, the respondent was directed to show the alternative flat but they are not taking interest. As the respondent is not showing any positive steps and the complainants are waiting for since long with no option left, now, the complainant will go for the refund of the amount paid with interest.

The Bench notes the submissions of complainants and directed to send a cancellation letter to the respondent stating their reason for going for cancellation and file a copy of the same before the Authority.

The Bench notes that since the complainants have prayed for possession but due to no positive steps taken as promised by the respondent, complainants seeks for refund of the amount paid with interest, hence, Bench directs complainants to file an affidavit amending his prayer within two weeks and accordingly order will be passed.

Put up for orders on 07.11.2022.

Sd/-

Nupur Banerjee
Member