

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mrs. Nupur Banerjee

Case No.CC/1065/2021

Suryajit KumarComplainant

Vs

M/s Ghar Laxmi Buildcon Pvt. Ltd.Respondent

Project: Income Tax Residency

Present: For Complainant: Mr. Rai Saurav Nath, Advocate

For Respondent : None

09/09/2022

PROCEEDING

Hearing taken up. Mr. Rai Saurav Nath, Advocate appears on behalf of the complainant. The respondent is absent.

Learned counsel for the complainant submits that the grievance of the complainant is related to booking of flat and not handing over the possession of the same till date in the respondent project Income Tax Residency, for Block-C. He further submits that the application for booking was annexed as Annexure -10 alongwith the complaint petition and Flat No.C-603 has been allotted to the complainant and the complainant has made payment of Rs.3.50 lakh but till date, the respondent has not handed over the flat. Learned counsel further submits that the e complainant wants possession of the flat and if the respondent cannot give possession in Block -C, then accommodate him in Block-A.

The Bench observes that the respondent/promoter is not appearing in analogues cases also pertaining to same project despite notices and summon issued, hence, considering that complainant prayer for possession and also taking into consideration that in analogues cases also prayer of complaints were for the possession and the respondent obligation to provide flats to complainant as per the agreement entered between them and taking view that the presence of promoter is essential to adjudicate upon the issues of complainant, let **issue summon** to respondent via concerned police station through S.S..P. Patna, for the personal appearance of all the directors of the respondent company on the next date of hearing.

Let office is directed to serve a copy of **summon** to the concerned police station as well as S.S.P., Patna to serve upon respondent directors for appearance, providing the address of the respondent directors. If

required, the address of the respondent directors may be verified from the complainant.

Let a copy of order also be send to concerned police station as well as to S.S.P., Patna along with the copy of summon.

Put up for hearing on 14.10.2022.

Sd/-

Nupur Banerjee
Member