

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR

Before the Full Bench of Mr Afzal Amanullah, Chairman, Mr R.B. Sinha & Mr S.K. Sinha, Members

Complaint Case

**Nos. CC/396/400/401/402/411/417/418/425/426/429/435/455/456/457/458/477/
503/213/216/289/293/310/175/302/275/231/378/111/310/168/169/170/171/172/
271/263/187/209/352/311/312/267/229/230/225/226/269/270/276/281/284/287/292/306/
307/323/363/502/354/373/520/523/526/531/537/545/559/563/575/576 of 2019**

Suman Kumari & Others.....Complainant

Vs

M/s Agrani Homes Group of Companies.....Respondent

31/01/2020

PROCEEDING

Cases put up today. Most of the complainants are present along with their learned counsel. The O.P. is represented by his counsels. O.P. has given a petition which has been kept on record. It is ordered that the same should be backed by an Affidavit.

After hearing the parties, it appears that the Patliputra Colony property of the O.P. is to be sold at Rs 18.102 crore for which agreement has been done and post dated cheques have been issued as per the following chart :-

<u>Cheque No.</u>	<u>Date</u>	<u>Amount</u>
332348	04/02/2020	Rs 2,00,00,000
332349	05/02/2020	Rs 2,00,00,000
332350	28/02/2020	Rs 4,00,00,000
332351	26/03/2020	Rs 4,00,00,000
332352	16/04/2020	Rs 4,00,00,000
332353	25/04/2020	Rs 2,10,20,000
	Total:	Rs18,10,20,000

The O.P. has consistently defaulted over the last few months and even now, only an Agreement for Sale has been submitted with copies of the post dated cheques for the Patliputra Colony property. The property at Sampatchak still hangs balance.

We are not satisfied with the conduct of the O.P. as he is continuously taking this Court for a ride. It is hereby ordered that :-

- (1) The O.P. represented by the M.D. should be present on the date of next hearing which is fixed for 06th February, 2020 at 4:00 PM.
- (2) The post dated cheques of 04/02/2020 and 05/02/2020 of Rs 2.00 crore and Rs 2.00 crore amounting to a total of Rs 4.00 crore shall be deposited in a separate account cleared by the RERA before 06/02/2020 so that the amount of Rs 4.00 crore can be disbursed to the consumers as per the serial list that has been agreed upon previously. Subsequently, as and when the cheques are due they should be deposited in the designated account and on the following day the MD shall appear in Court and distribute that amount to the rest of the consumers as per the serial list.
- (3) The M.D. and Director of the O.P. company shall deposit their passports in Court on 06/02/2020.
- (4) The matter regarding D & J blocks of IOB Nagar shall be taken up on 19/02/2020 at 4:00 PM

Sd/-
(R.B. Sinha)

Sd/-
(Afzal Amanullah)

Sd/-
(S.K. Sinha)