

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Bench of Hon'ble Chairman, Mr. Naveen Verma, Hon'ble Member, Mr. R.B. Sinha & Hon'ble Member, Mrs. Nupur Banerjee**

**Complaint Case Nos. CC/1609/2020, CC/1610/2020, CC/1611/2020, CC/1612/2020, CC/1623/2020**

Karuna Kumari Alias Karuna Kumari Roy/ Lakshman Singh/ Rahul Jawahar/ Ranjana Sharma/ Ashok Kumar Singh.....Complainants

Vs

M/s DDL Infratech Pvt. Ltd.....Respondent

Present: For the Complainants: Mr. Uday Bhan Singh, Advocate  
In persons  
For the Respondent: Mr. Siddhartha Prasad, Advocate  
Mr. Ravindra Kumar Singh, Advocate  
Mr. Agreya Pratap, Advocate

**14/06/2021**

**PROCEEDING THROUGH VIDEO CONFERENCING**

Hearing taken up through video conferencing. Adv. Uday Bhan Singh appears on behalf of complainant no. 1, 2, 3, 4 and 5. Adv. Siddhartha Prasad, Adv. Ravindra Kumar Singh and Adv. Agreya Pratap counsels for the respondent is also present.

The complainant counsel, Adv Uday Bhan Singh submitted that he has filed a modification petition for modifying the prayer and served the copy of the same through .mail to the respondent counsel, Adv Ravindra Kumar Singh. The learned counsel for the complainant submitted that the relief sought now is for possession of land, handing over of possession letter and development work as per the registered agreement .

It was observed that modification petition has been filed after the Bench had questioned the maintainability of the original petition .

Adv Siddhartha Prasad appearing on behalf of the respondent submitted that the reply for aforementioned cases has been filed and a copy has been served to the complainant counsel. He r stated in Batch cases of DDL Infratech Pvt. Ltd. the respondent is developing the entire site and handing over the possession and possession letter to the complainants , village wise as per the schedule decided by the Bench on the last date ie 7.6.2021. He further submitted that the respondent has refunded Rs. 11.25 Lakhs to Mr. Rahul Jawarhar (CC/1611/2020) and Mrs. Ranjana Sharma (CC/1612/2020); Rs. 17.50 Lakhs to Mr. Ashok Kumar Singh (CC/1612/2020) and Rs. 35 Lakhs to Mr. Narendra Singh i.e. the entire money have been refunded. Respondent counsel further prayed for refund of money from the complainants because the request for both refund of money and handing over the possession cannot be

sustainable. He further submitted that the complainants are admitting the amount and even in their petition annexed with bank statement Mrs. Ranjana Sharma has written that she has received Rs. 11.25 Lakhs .

The learned counsel for the complainant counsel counters that the amount is disputed and Complainant counsel submitted that Mrs. Ranjana Sharma and Mr. Rahul Jawarhar have received money in the joint account and that Mr. Ashok Kumar Singh had returned Rs. 7 Lakhs to the respondent Director, Mr. Shiv Kumar.

Mr. Siddhartha Prasad, the learned counsel for the respondent submitted that after seeing the development of the site, Mr. Ashok Kumar Singh took possession in January and the said amount was refunded back to the respondent's bank account. He further submitted that the respondent has already been given possession after the measurement of the amin and pillars have been put in on the site which can be also verified by RERA.

Complainant counsel initially prayed for time filing the rejoinder to the reply of the respondent but on a suggestion by the Bench to be specific in the relief sought and whether they wanted refund or possession of land submitted that the prayer was only for handing over the possession and also issuance of possession letters as per sale deed and completing the development work . Respondent counsel submitted that entire transaction that has been made through bank transaction/RTGS and no dispute can be raised.

After hearing the submissions from both sides the Bench directed the complainant counsel to reconcile the entire transactions and refund the money to the respondent as they wanted possession over the land. Adv. Siddhartha Prasad prayed for fixing the time limit for refund and hand over the possession. Adv. Uday Bhan Singh prayed for demarcation of land by amin from both sides on the date of possession and he further prayed for issuance of fresh possession letter. Bench directed the complainants to clear the payment so that possession can be handed over before the deadline for Akhtiyarpur Village i.e. 21/06/2021.

**With these observations these cases are disposed.**

**R.B. Sinha**  
(Member)

**Naveen Verma**  
(Chairman)

**Nupur Banerjee**  
(Member)

