

**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 /457/458/477/503/213/216/289/293/310/175/302/275/231/378/111/271/263/352/311/ 312/267/229/230/225/226/269/270/276/281/284/287/292/306/307/323/363/502/354/ 373/520/523/526/531/537/545/559/563/575/576/112/532/639/646/649/650/652/653/ 655/659/660/662/663/664/665/666.668/670/675/676/679/680/682/683/685/686/688/ 689/690/691/692/693/694/695/697/714/716/720/722/725/726/728/730/731/732

Suman Kumari and others

..... Complainants

vs.

M/s Agrani Homes Pvt. Ltd.

..... Respondent

**Proceeding**

**07.10.2020**

Today's proceedings were held through online video conferencing mode. Many of the complainants have joined in these proceedings. Respondent is represented by Mr. Vinay Lakhani and Mr. Mohit Raj, Advocates and Mr. Alok Kumar, Director of the company.

In the last hearing on 24/09/0020, the respondent Mr. Alok Kumar had promised to give an action plan within 7 days. Unfortunately he has not made good his promise. A bunch of assorted paper, consisting of 135 pages has been filed today in the office in 2 copies. This court has not had the time to examine the same in detail. However a cursory glance at the paper shows that there is no action plan as had been promised, neither are there all the details that we had asked for.

Reply from Ruban hospital has come which mentions that the deal for the Patliputra Colony properties is for Rs. 12 crores. That they have paid Rs.

9.41 crores already and Rs. 2.58 crores remains to be paid. It is also mentioned that out of the remaining Rs. 2.58 crores, Rs. 1.89 crores has to be paid to the concerned bank. We make it clear that the first charge of the money from proceeds of sale of Patliputra Colony property is of the consumers who are the complainants in this case.

Mr. Vinay Lakhani is appearing for the respondent for the first time and he is not fully aware of the past orders and the history and background of this instant matter. This court also needs to examine the papers that have been submitted by the respondent.

The complainants say that their patience is wearing off and that they want their money back with interest. Mr. Lakhani raises objection that the complainants cannot get their money back as they have defaulted and that these complaints are not maintainable.

We note that the respondent has delayed submission of his response and only 2 hard copies have been submitted in office a few hours ago instead of 4 hard copies.

After hearing the complainants and the respondents and their lawyers and after consideration we order that:-

- (1) 2 more hard copies of the papers submitted today by respondent should be made available to us by tomorrow morning.
- (2) The respondent shall submit a detailed plan for return of the money to the complainants in 4 to 5 pages which should clearly specify how and by what time, the complainants will be able get their money back.
- (3) Affidavits of movable and immovable properties of all Directors of the Agrani Group of Companies should be submitted by next date.
- (4) Annual accounts of associated companies like Agrani Pharmaceuticals Pvt. Ltd, Indus Ventures, Agrani Mills Pvt. Ltd, Agrani Infotech Pvt. Ltd, Agrani

e-commerce Pvt. Ltd, etc for the period 2012-2020 should be submitted by 30/10/2020.

- (5) Ruban Hospital representative and their lawyer (if any) should be present at the next date of hearing.
- (6) We direct the Ruban Hosipital not to release further funds either to Mr. Alok Kumar or to any loan account or to any bank till further orders.
- (7) Mr. Alok Kumar shall submit his agreement of sale/purchase with late Kunti Devi regarding the Sampat Chak land before the next hearing.
- (8) Mr. Alok Kumar has shwon that there has been an expenditure of Rs. 49.64 crores for acquiring land and developing the same for 47 projects/plots. We direct that copies of all the development agreements be submitted to this court by 30.10.2020
- (9) From available Audit reports it appears that Mr. Alok Kumar and other Directors/family members have taken loans and advances from their various companies to the tune of over Rs. 16 crores. We would like to know the details of the same and also as to when these amount would be returned to the companies. This should be submitted by 30.10.2020
- (10) We instruct that the Agrani group of companies shall not take up any new project till such time as all the complaint cases are settled.

Put up on 16/10/2020 at 3:30 PM.

Sd/-  
(S.K. Sinha)

Sd/-  
(R.B. Sinha)

Sd/-  
(Afzal Amanullah)

