

REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR

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

Complainants cases Nos-CC/168/169/170/171/172/187/203/209/293/723/
264/279/372 of 2019

Sri Ajay Krishna & Others

..... Complainants

vs.

M/s Agrani Homes Pvt. Ltd.

..... Respondent

Proceeding

9.10.2020

The proceedings were held online through video conferencing mode. Most of the complainants have joined. Respondent is represented by Mr. Vinay Lakhani and Mr. Mohit Raj, Advocates and Mr. Alok Kumar, Director of the Company.

Mr. Lakhani says that in the papers, given to this court by the respondent in the matter of Suman Kumari and others Vs. M/s Agrani Homes Pvt. Ltd, the action plan for handing over 35 flats of Block D and 42 flats of Block J at IOB Nagar, Sarari, Patna and of Agrani Ashoka are also given. However, on perusal of the said papers running into 135 pages, we find that no such plan has been specified. Complainants of Agrani Ashoka said that their grievances can be complied with to which Mr. Alok Kumar said that he will solve the problem quickly.

In view of the non-submission the action plan as promised by Mr. Alok Kumar in the last hearing held on 25/09/2020, this court had asked Mr. Alok Kumar. to spell out clearly when he will complete the D and J Blocks at IOB Nagar and the Agrani Ashoka, keeping in view the fact that these were supposed to have been completed by 2015-2016. Mr. Alok Kumar. categorically stated and promised the following:-

- (A) That the D block at IOB Nagar consisting of 35 flats shall be completed and made ready for occupation by 30.10.2020.
- (B) That J Block at IOB Nagar consisting of 42 flats shall be completed totally and made ready for occupation in the next 9 months that is by mid July 2021.
- (C) That Agrani Ashoka, which has 76 flats out of which 38 are in the share of the land holder and rest 38 in the share of the builder shall be completed by April 2021.
- (D) Mr. Lakhani requested the court to grant extension of time for completion of the above 3 projects. He also mentioned that there were other projects that required extension of time for which applications had been made to RERA office earlier.

The complainants mentioned that the respondent had never adhered to their promise and had always gone back on their commitment and found ways and means of wasting time and delaying proceedings and that they cannot be trusted to abide by the commitment and promises, made today. Mr. Lakhani informed the court that if time is granted as a last indulgence, the respondents shall make good on the promises made today. We make it clear that we have restrained ourselves from taking drastic action against the respondents in view of the solemn promise made by Mr. Alok Kumar and the submissions of Mr. Vinay Lakhani.

Upon hearing the parties and on careful consideration of the matter, we order:-

- (1) Grant of extension of time for construction and completion of the following projects:-
 - (a) Block D, IOB Nagar- extended till 30.10.2020
 - (b) Block J, IOB Nagar- extended till 15/7/2021
 - (c) Agrani Ashoka- extended till 30.04.2021

- (2) All files regarding extension of remaining Agrani projects be put up within 10 days for orders on merit.
- (3) The grievances of the 2 complainants- Savitri Devi and Meera Gupta, regarding Agrani Ashoka shall be remedied by Mr. Alok Kumar by 31.12.2020.
- (4) Mr. Alok Kumar shall make good his promise, made to this court regarding the completion of D and J Blocks of IOB Nagar and Agrani Ashoka.
- (5) Mr. Alok Kumar shall submit monthly progress report in respect of Block J, IOB Nagar and Agrani Ashoka.
- (6) The construction work shall not be stopped on account of consumers not settling their dues. If necessary, the company shall complete the construction work out of its own funds. Settlement of individual accounts shall be done on completion of the projects.

Put up on 4.11.2020 at 3:30 PM

Sd/-
(S.K. Sinha)

Sd/-
(R.B. Sinha)

Sd/-
(Afzal Amanullah)

