REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of

Hon'ble Member Mr. S.D. Jha, RERA, Bihar,

RERA/CC/516/2022

Mr. Rohit Kumar …… Complainant

Vs.

Mr. Hement Kumar …..… Respondent

For the complainant: In person

For the Respondent: None

Project: - **SEHRA TOWER**

O R D E R

17.05.2023 Hearing taken up. The complainant is present. The respondent is absent.

The complainant submits that he booked Flat no.204 in the year, 2019 in the project located at Udaiyini, P.S.- Gopalpur, District – Patna, on consideration amount of Rs.21,43,000/-, which was paid in December, 2019, and thereafter Registration of the flat was executed by the respondent on 31.12.2019. The possession was to be handed over within a month of registration, but even after lapse of 3 years from the date of registration, possession has not been handed over. He wants possession of the flat. He also submits that the respondent never appeared before the Conciliation Forum.

Perused the record. The Authority observes that the respondent neither honoured the commitment made to the complainant of completing the project within the time granted nor is showing interest in getting this case disposed of by appearing in the case in spite of notice issued on 9.5.2023, wherein it was specifically mentioned that in case of non-appearance, the case would be disposed of on merit on the next date on the basis of material available on the record. Considering the hardship being faced by the complainant and also the indifferent and non-cooperative attitude of the respondent – promoter, the Authority does not think it proper to allow this case pending for further period and, accordingly, the case is disposed of today itself.

In the backdrop of the submissions made by the complainant and on going through the material available on the record, the Authority directs the respondent - company and its Director to hand over the possession of Flat no.204 with all amenities as per agreement dated

15.3.2013 after completing all legal formalities within three months from the date of this order.

With the aforesaid observations and directions, this case is disposed of.

sd/-
S.D. Jha,
Member