REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mrs Nupur Banerjee, Member

Case No.CC/475/2022

Bimal Bihari Agrawal ……...Complainant

Vs

M/s City Makers Pvt. Ltd. …….Respondent

Project: Bankey Bihari Kunj

Present: For Complainant: Mr. Diwakar Kumar, Advocate

For Respondent: Mr. Sumit Kumar, Advocate

17/07/2023 **PROCEEDING**

Hearing taken up. Both the parties are present through their respective learned counsel.

Learned counsel for the complainant submits that the complainant has filed a petition for occupancy and the possession certificate on 25.08.2022 where he wanted to get the possession letter because he is the land owner. He has got possession of the flat but without possession letter he cannot sell the flat but recently on 12.04.2023 Patna Municipality has given a report that the map cannot be given any validation or approval because it was already invalidated in 2015 and now it cannot be revalidated. Under these circumstances, the Nagar Nigam has not revalidated the map, so the respondent company is unable to give possession letter. He submits that the respondent has contravened the provisions of Sections 59, 60, 61 and 62 of the RERA Act.

Learned counsel for the respondent submits that the project is already completed. He has already submitted the completion certificate. He submits that the copy of the complaint petition has not been served on him but learned counsel for the complainant states that he has already given the copy of the complaint petition. Anyway, learned counsel for the respondent submits that he is not having the copy of the complaint petition. Now, in front of the Bench the complainant is serving a copy of the complaint petition.

The respondent is directed to file a reply to RERA after serving a copy of the same to the complainant, well in advance.

Let a letter be written to the Patna Municipality in order to throw light on this case.

Put up for hearing on 12.09.2023.

Sd/-
Nupur Banerjee
Member