REAL ESTATE REGULATORY AUTHORITY, BIHAR

RERA/CC/169/2022

R.R. Builders and Developers through its partner Dinesh Kumar

.....Complainant

Vs

Mr. Punit Kumar & Puja Sinha ..... Respondent

Project: Sanchar Nagar "Block-01"

11.09.2023: **ORDER**

Hearing taken up. Shri Kumar Saurav, Advocate appears for the complainant. The respondent Punit Kumar is present .

The learned counsel for the complainant submits that the matter may be deferred.

The Authority observes from the online petition filed by the complainant who is a promoter in this matter mentions that the allottee is not making payment and directions may be issued accordingly.

The learned counsel for the complainant apprehends that his booking may be cancelled.

The Authority observes, in view of the position mentioned above, there appears to be no cause for action for the present complaint petition. Section 11(5) of the Act mentions about cancellation of allotment if the allottee has defaulted as per the terms of the agreement to sale. If the allottee is aggrieved by any such decision, then he may approach the Authority under section 11(5) of the Act. The model agreement for sale as prescribed in Bihar RERA Rules, 2017 provides the conditions under which the allottee has to pay interest in case of default/ delay in making payment and the conditions in which the

promoter has to pay interest in case of delay in handing over possession.

Admittedly the allotment has not yet been cancelled and hence the matter has been raised rather prematurely before the Authority.

With these observations, the matter is disposed of.

Sd/-

(Naveen Verma)

Chairman