REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of

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

RERA/CC/468/2022

Mrs. Priyanka Kumari …… Complainant

Vs.

M/s Nandani Homes Pvt. Ltd. ……. Respondent

For the complainant: Mr. Sunil Kumar, Husband

For the Respondent: Mr. Sharad Shekhar, Advocate

Project: – AMAN S K S COMPLEX

PROCEEDING

15.09.2023 Hearing taken up. Mr. Sunil Kumar, Husband of the complainant, appears for the complainant. Mr. Sharad Shekhar, Advocate, appears for the respondent. The promoter Neyaz Ahmed is also present.

Learned counsel for the respondent has filed counter affidavit today and a copy of which has been handed over to Mr. Sunil Kumar.

Mr. Sunil Kumar submits that the respondent has neither handed over possession of the flat with all amenities nor has handed over possession of the car parking. He also submits that in the letter dated 15.9.2023 he has highlighted the amenities to be provided by the promoter.

Learned counsel for the respondent submits that the complainant had paid Rs.35,65,000/- against two shops and a flat but thereafter the complainant got the shops' amount adjusted to the flat, which cost was Rs.32,40,000/-. The Absolute Sale Deed of the flat was executed by the respondent in favour of the complainant on 12.2.2022. He also submits that the balance amount of Rs.2,15,000/- of the complainant was refunded through cheque. The respondent's counsel and the promoter submit that possession of the flat has also been handed over

and the complainant is residing there. However, possession letter has not been given as the complainant never approached to the respondent despite request made. The promoter submits that all the facilities have been provided to the apartment. If any facility remains to be provided he is willing to provide the same.

The complainant is directed to file written submission on affidavit enclosing the copy of the Absolute Sale Deed with a copy to the respondent's counsel within two weeks. The respondent's counsel would file reply thereto along with supporting documents categorically replying therein also to the complaint dated 15.9.2023 within two weeks thereafter .

Put up for hearing on 23.11.2023.

Sd/-
S.D. Jha,
Member