

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of

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

RERA/CC/646/2022

Purushottam Kumar Tiwari and Anr. Complainant

Vs.

M/s Vikramshila Developers Pvt. Ltd. Respondent

For the complainant: Mr. Ram Babu Shah, Advocate

For the Respondent: Mr. Sharad Shekhar, Advocate

Project:- JAGDISH NIKETAN

PROCEEDING

28.11.2023 Hearing taken up. Mr. Ram Babu Shah, Advocate, appears for the complainant. Mr. Sharad Shekhar, Advocate, appears for the respondent without Vakalatnama.

Vide proceeding dated 17.10.2023 a penalty of Rs.5000/- was imposed upon the respondent for disobedience of the direction of the Bench, which was to be deposited before the next date of hearing i.e. 28.11.2023, but the same, as appeared from the record, has not been deposited so far. Hence, an additional penalty of Rs.1000/- per day is imposed upon the respondent w.e.f. 29.11.2023 till the date of deposit of amount of penalty of Rs.5000/-.

Learned counsel for the complainant submits that the complainant has not yet been given possession of car parking space and other amenities like Community Hall, Gymnasium etc., as per Agreement. He further submits that the Community Hall was to be provided on the ground floor but the same has been provided on six floor and the roof of the Gymnasium's room has been made of asbestos. He requests that the Community Hall should be provided on the ground floor at any place within or adjacent to the campus of the project and the roof of the Gymnasium should be made of concrete casting.

Learned counsel for the respondent submits that Conveyance Deed has already been executed in favour of

the complainant and the complainant has been in possession of the flat along with car parking. He requests to file fresh counter reply in this matter. Prayer is allowed. He is directed to file the same along with documentary evidence and Vakalatnama within a week with a copy to the complainant's counsel, who will file rejoinder, if any, within a week thereafter. In case of non-compliance, an order will be passed on merit on the basis of material available on the record.

Send a copy of this order to the Compliance Wing, RERA, to take further necessary steps for recovery of the aforesaid amount of penalty.

Order is reserved.

Sd/-
S.D. Jha,
Member