

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of

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

RERA/CC/84/2022

Raju Kumar Complainant

Vs.

Neelkanth Solution Pvt. Ltd. Respondent

For the complainant: Mr. Mukesh Kumar, Advocate

For the Respondent: Mr. Sanjeev Kumar, Advocate

Project:- NEELKANTHA DINESH RESIDENCY

PROCEEDING

01.02.2024 This case has come on transfer from the Bench of Hon'ble Chairman vide proceeding dated 7.12.2023.

Hearing taken up. Mr. Mukesh Kumar, Advocate, appears for the complainant. Mr. Sanjeev Kumar, Advocate, appears for the respondent.

Learned counsel for the complainant submits that an Agreement For Sale was executed between the complainant and the respondent on 28.1.2014 to purchase a flat in the project on consideration amount of Rs.33,68,000/- out of which the complainant paid Rs.24.50,000/-. He further submits that without serving any demand notice his booking of flat has been cancelled by the respondent. The complainant wants setting aside of cancellation letter and possession of flat.

Learned counsel for the respondent submits that one Miscellaneous Application case before Hon'ble the High Court and a title suit in the Civil Court relating to flat in question have been pending, to which learned counsel for the complainant submits that the same is not with respect to flat, rather they are relating to share in a partnership firm with the respondent. Learned counsel for the respondent also submits that Rs.24.50,000/-, which was paid for purchase of flat, has already been refunded, to which the complainant's submits that that amount has been credited to the account of the

complainant is his share in the partnership firm and not the amount of flat. The respondent's counsel is directed to file his submissions in writing within two weeks with a copy to the complainant who will file his reply within two weeks thereafter.

Learned counsel for the respondent further requests for four weeks' time to place on record in writing the outcome of the case pending before Hon'ble the High Court, which is allowed. He is directed to file the same within four weeks with a copy to the complainant's counsel.

Put up for hearing on 6.3.2024.

Sd/-
S.D. Jha,
Member