REAL ESTATE REGULATORY AUTHORITY, BIHAR

RERA/CC/394/2022, RERA/CC/395/2022, RERA/CC/565/2022, RERA/CC/58/2023 & RERA/CC/59/2023.

Usha Devi, Ratna Sharma, Mukesh Narayan, Mr. Ashish Gaurav & Priya Kumari

… …. Complainant

Vs

M/s Ghar Lakshmi Buildcon Pvt. Ltd. ……Respondent

Project: <u>Income Tax Residency "Block-A"</u>

31/01/2024 **<u>P R O C E E D I N G</u>**

Hearing taken up. Shri Amar Kumar appears for his mother Smt Ratna Sharma as also for his auntSmt Usha Devi by filing authorization letter which is allowed. Shri Mukesh Kumar and Shri Ashish Gaurav appear in person.The complainant Priya Kumari is absent. Shri Ishtiyaque Hussain, Advocate appears for the respondents in all the cases.

The complainants have filed a petition for impleading the Income Tax Residency Allottee association, Lakhni Bigha, Danapur, Patna as a party.Shri Mukesh Narayan and Shri Ashish Gaurav by filing a petition have also mentioned that they are willing to go with the allottee association. Shri Amar Kumar submits that he is also willing to go with the allottee association but the signed copy of the letter would be submitted for the same.Ms Priya Kumari is advised to file a petition, if she is willing to go with the Association.

The complainants file a copy of the memorandum of association of the society, which is taken on record. A copy of the same may be given to the respondents' counsel.

The Authority directs that copies of these petitions may be sent to the respondent.

The learned counsel for the respondent submits that the association must have a majority of allottees. It is submitted that the matter for impleading the association as a party may be deferred.

The complainants submit that apart from 16 allottees ,the land owners also signed and are part of the association.

The Authority observes that as per its direction on the previous date, the complainants and majority of allottees have formed an association. In any case, it was the responsibility of the promoter to form an association.

The Authority, therefore, allows the application. Income Tax Residency Allottee Association, Lakhni Bigha, Danapur, Patna may be impleaded as a party. The cases may be clubbed together.

The respondent may submit their reply on this also, if they so desire.

The complainants submit that they are not in favour of getting the work completed by the promoter. They submit that they have got the valuation of the work done and are willing to complete the work on their own.

The complainants submit that some flats for which agreement to sell has already been executed are being sold to other parties. They apprehend that since some flats are being completed on priority basis, these may be also booked and sold to a third party.

The Authority observes that since the project has been lapsed under section 3 of the RERA Act, 2016, the promoter ceases the right to sell or book any flat.

The Authority directs that a letter may be sent to the IG Registration requesting him to direct all the officers concerned not to register any deed of conveyance or agreement to sale in respect of flats of project “Income Tax Residency Block-A.

Put up for hearing on 10.04.2024.

Sd/-	Sd/-	Sd/-
S.D. Jha	Nupur Banerjee	Naveen Verma
Member	Member	Chairman