REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of

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

RERA/CC/117/2023

Mr. Roy Vijay Kumar …… Complainant

Vs.

M/s Om Narayan construction Pvt. Ltd. ……. Respondent

For the complainant: Mr. Rahul Srivastava, Advocate

For the Respondent: Mr. Jai Ram Singh, Advocate

Project:– PATLIPUTRA HERITAGE

O R D E R

09.04.2024 Hearing taken up. Mr. Rahul Srivastava, Advocate, appears for the complainant. Mr. Jai Ram Singh, Advocate, appears for the respondent.

Learned counsel for the complainant submits that the complainant is the landowner. He entered into a Development Agreement with the respondent on 27.1.2011 to develop multistoried building over his land. It was agreed therein that the landowner would get 50% of the total constructed flats with all amenities and car parking. The project has been completed and the complainant has been given six flats of his 50% share. The complainant is ready to take possession of three flats i.e., 101,105 & 107 given in Block –A of the project and for rest three flats i.e., 102,104 & 106 given in Block-D the complainant has objection because as per Deed of Agreement For Partition the complainant is to be given all the six flats in Block- A.

Learned counsel for the respondent submits that now no flat is available in Block –A of the project as all the flats of Block–A have been sold out by the respondent and the respondent is ready to deliver possession of rest three flats i.e., 102,104 & 106 in Block-D to the complainant, to which learned counsel for the complainant submitted that the said proposal is acceptable and the complainant is willing to get possession of

remaining three flats i.e. 102, 104& 106 given in Block – D of the project.

Taking into consideration the fact that the complainant is willing to take possession of rest three flats 102, 104& 106 given in Block – D of the project, the Authority directs the partners of respondent - company, namely, Sri Om Prakash Singh and Sri Jai Narayan Sinha to handover delivery of possession of the aforesaid three flats in Block – D to the complainant within fifteen days from the date of issue of this order.

With the aforesaid direction, this case is disposed of as settled.

Sd/-
S.D. Jha,
Member