REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Inquiry Commissioner, Sri Sanjaya Kumar Singh, RERA, Bihar

RERA/CC/119/2025

Shankar Sharma ……Complainant

Vs

M/s Asmi Realtors Pvt. Ltd. ……Respondent

Project: Satish Enclave

Present: For Complainant: Mr. Sumit Kumar, Advocate
For Respondent: Mr. Ishtiyaque Hussain, Advocate

29/10/2026 **PROCEEDING**

Hearing taken up. Mr. Sumit Kumar, learned counsel for the complainant is present. Mr. Ishtiyaque Hussain, learned counsel for the respondent is also present.

Learned counsel for the complainant submits that the complainant is the landowner and as per the development agreement executed between the respondent and the complainant (as a landowner), the complainant was to get a share of seven flats. He further submits that the respondent by virtue of a share distribution affidavit which has been executed by the complainant is now claiming to handover the share of only four flats against the share of seven flats as disclosed in the development agreement which is totally incorrect and with a misconceived notion.

Learned counsel for the respondent denies the averments of the learned counsel for the complainant submitting therein that the share distribution affidavit was drawn post settlement with another landowner named Shushila Devi who happens to be the sister-in-law of the complainant. He further submits that had the settlement not materialised with Mr. Subodh Rai, no approach road would have been made possible in this project and therefore, in the interest of the project the said settlement with Mr. Subodh Rai was done and accordingly, a new share distribution affidavit was drawn. When enquired whether Mr. Shankar Sharma, the present complainant was ever taken into confidence while drawing share distribution affidavit, learned counsel for the respondent submits that the sister-in-law of the complainant was taken into confidence for the same and even Shankar Sharma was also signatory on the share distribution agreement.

Learned counsel for the complainant denies the authenticity of the signature made on the share distribution affidavit and further submits that the same varies with the original development agreement which is a registered deed and therefore, holds priority over the document which has been drawn through a notarised affidavit.

Learned counsel for the respondent is directed to furnish any other relevant document which could establish the priority of the share distribution affidavit over the development agreement executed through a registered deed which could be submitted before this Bench. Learned counsel for the respondent is also directed to furnish a written notes of argument in this regard specifically

mentioning as to why less share as disclosed in the development agreement which is a registered deed has been proposed to be given to the complainant. The learned counsel for the complainant is also directed to furnish a written notes of argument in this regard on his behalf.

Put up this case on 05.01.2027 for further hearing.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar