REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

RERA/CC/25/2025

Poonam Pandey ……Complainant

Vs

M/s Arrow Planner & Developers Pvt. Ltd. ……Respondent

Project: Mannat Apartment

Present: For Complainant: Mr. Punit Kumar, Advocate
For Respondent: Mr. Hemant Kumar, Advocate

29/10/2026 **PROCEEDING**

Hearing taken up. Mr. Punit Kumar, learned counsel appears for the complainant.

Mr. Hemant Kumar, learned counsel appears on behalf of Mr. Sharad Shekhar, who is the learned counsel for the respondent and submits that because of unavoidable circumstances he could not attend today and therefore, requests for some time to be given to him for ensuring his appearance before the court and explaining the matter.

Learned counsel for the complainant submits that the complainant is in total agony as she is the landowner in this case and has entered into a development agreement with the respondent way back in the year 2012 under terms of which the project consisting of 12 flats was to be completed within a period of 24 months and 50% of the share was to be handed over to the complainant. He further submits that to utter dismay of the complainant, the project has not yet been completed and many basic amenities as outlined in the development agreement, for example lift, generator etc. have not been installed till date and handing over of the due share to the complainant has not been done as yet. He also submits that the said project has not been registered with RERA. When enquired regarding bookings done by the respondent in the share belonging to the respondent, learned counsel for the complainant submits that altogether six flats were in the share of the respondent and all the flats have been booked by the respondent in utter violation of Section 3 of the Real Estate (Regulation and Development) Act, 2016. He, therefore, requests for a strict direction to the respondent to complete the flats and handover the possession of due share to the complainant immediately. He also requests for other penal action to be taken against the respondent for non-registration with RERA and other deficiencies pertaining to deliverable in this project.

On perusal of the record of the case and hearing the submissions of the learned counsel for the complainant, the Bench observes that though the project was initiated before enforcement of the RERA Act but it has not been completed till date and the booking pertaining to the flat of this project has already been done. Section 3 of the RERA Act makes it clear that all on-going projects, where the completion certificate was not obtained/ submitted mandatorily needed to be registered with RERA.

The Bench, therefore, directs the Compliance Wing to verify the details whether the said project has been registered with RERA or not and in case, the same is not registered as yet, the Compliance Wing is directed to institute a suo motu case for violation of Section 3 of the Act against the respondent.

The Bench considering the act of the respondent to be a blatant violation of the provisions of the Real Estate (Regulation and Development) Act, 2016 hereby imposes a complete ban on the sale of all the units of the impugned project named Mannat Apartment situated in Mauza Bhusaula, P.S. Phulwari Sharif, Danapur Sub-division, District Patna.

I.G., Registration is requested to issue necessary instructions to the Sub Registrar concerned for complying with the directions given hereinabove.

The respondent is directed to appear either in person or through his authorised representative and present his case with all the relevant documents on the next date of hearing.

The Bench observes that this is the 15th date of hearing and altogether 14 dates have passed by without finding a proper resolution to the issues flagged out in the complaint case by the complainant at the respondent's end.

Put up this case on 05.01.2027 for further hearing.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar