

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Single Bench of Mrs Nupur Banerjee**

**Case No. RERA/SM/568/2022**

**Authorised Representative of RERA .....Complainant**

**Vs**

**M/s Habitat Infratech Pvt. Ltd.**

**.....Respondent**

**Project: Narayan Bahitat**

**Present: For Complainant: Mr. Rishikesh Rajan, L.R.**

**For Respondent : Mr. Sumit Kumar, Advocate**

**16/02/2023**

**PROCEEDING**

Hearing taken up. Both the parties are present.

Learned counsel for the Authority submits that the respondent was directed to file reply. The agreement for sale was executed in 2022 and the project is of 12 flats but the respondent has shown only 8 flats.

Learned counsel for the respondent by filing Vakalatnama admits that there is 12 flats but it was made below the 500 sq. meter of land. On the basis of the sale deed the allegation has been made. The project was completed before 2017. The completion certificate has already been obtained by the competent authority. This is a small project of 2 katha.

The Bench observes that the respondent is stating before the court that the project has been completed before commencement of RERA but in order to prove that, the occupancy certificate from the competent authority is required to be issued prior to commencement of the RERA. If that is shown by the respondent, the matter will be disposed of accordingly, otherwise penalty will be imposed on the basis of cost of the project. The respondent is also directed to give a rough estimate of cost of the project.

Put up for hearing on 23.03.2023.

Sd/-

Nupur Banerjee  
Member