

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**  
**IN THE COURT OF SPECIAL PRESIDING OFFICER, RERA, BIHAR**  
 RERA/CC/166/2023

Sunil Kumar

.....Complainant

Vs

M/s RR Builders and Developers Pvt. Ltd.

....Respondent

Project: Sanchar Nagar

For the Complainant :Shri Akash Deep, Advocate.

For the Respondent/s :ShriRahul Kumar, Advocate.

**18/09/2025**

**ORDER**

The complainant has filed the present complainant for following reliefs:

- (i) To direct the Respondent / promoter to comply with each and every provision of Section 11 of the Act, 2016.
- (ii) To direct the respondent / promoter to disclose facts and details as mentioned under Rule 4 of the Rules, 2017.
- (iii) To direct the respondent/ promoter to publish details pertaining to litigation on the Project and details related to Apartment and Garage as mentioned under Rule 16(1)(iii) and Rule 16(1)(b)(iii) of the Rules, 2017.
- (iv) Penalty of up to 5% of the estimated cost of the project may be imposed against the Respondent/ Promoter for violating Sections 11, 14 & 17 of the Act, 2016 read with Rule 4 & 16 of the Rules, 2017.
- (v) Revocation proceeding may be initiated against the respondent firm (promoters) under Section 7 of the Act, 2016, as the respondents have indulged in fraudulent/ unfair practice or irregularities and defaulted in complying the Apartment Ownership Act, 3006, Real Estate (Regulation and Development) Act, 2016 and Bihar Real Estate (Regulation and Development) Rules, 2017.

2. The facts of the case in short is that the complainant is one of the landowners/ allottees of the project namely 'Sanchar Nagar' and also an aggrieved person in light of Section 31 read with Section 2(d) of the Real Estate (Regulation and Development) Act, 2016. This case is also filed under sections 11,12 & 14 of the Act, 2016 and violating Rule 4(3) and Rule 16(1)(a)(iii) of the Bihar Real Estate (Regulation and Development) Act, 2017

and further the promoter has not disclosed other relevant details of the Project with the allottees.

It is submitted that the respondent/ promoter has failed to update the list of number and types of apartments and garages booked. The respondent/ promoter has also failed to make available to the allottees, the following documents, namely, sanctioned plans, Layout Plans, along with specifications, approved by the competent authority. The respondent/ promoter on one hand claims that their project is now completed in all respect but on the other hand, they have failed to transfer the common areas of the project to the association of allottees or the competent authority, as the case may be. The promoter has further failed to make it available OC/CC to the allottees individually or to the association of allottees. The respondent/ promoter, even after booking almost 80% flats in the aforesaid project, has failed to form an association or co-operative society till date. The promoter with malafide intention has not been forming the association of allottees with the reason that if they form an association, then in that case they have to execute a registered conveyance deed of the project's common area to the association of allottees as provided under section 17 of the Act, 2016. It is submitted that uncountable discrepancies regarding the project as per conveyance deed, Map, Advertisement and Prospectus have been made, like four lifts have been installed instead of 6 in each tower, there is a provision of one Health Club in each block but respondents have provided only one Health Club overall, without intimation/ consent changed the building plan of the project, for wrongful gain he has sold out flats and parking to the allottees without first distributing the share of the landowners. The allotment and specification of parking area has not been made clear to the allottees of the project, which requires immediate clarification before final registry of the flat or before formation of allottee association. It is submitted that the respondent/ promoter has committed wrong under sections 12 and 14 of the Act, 2016 and may be held liable under the same provisions.

The respondent have constructed 1000 flats instead of 840 flats. As per approved plan they have to construct 10 residential towers in the aforesaid

project, but they have erected 11<sup>th</sup> towers and naming it as 10A. The Carpet Area of flat should be 70% of super built up Area, but in maximum cases, the respondents have calculated the consideration amount as per super built up area. Details of litigation has not been provided by the respondent- promoter. The respondent/ promoter have also failed to publish Apartment and garage related details. Hence, this case.

3. The learned counsel for the complainant argued and demanded details as mentioned in relief. The learned counsel for the respondent appeared before the court and argued that the relief/s as sought for is not specific even though he is ready to give all details, which have been prayed in the complaint case.

4. After hearing both sides and perusing the complaint petitioner and also considering the facts and circumstances of the case, the respondent is directed to supply all the documents and details as prayed for as also uploaded on the website. Accordingly, this case is disposed of with direction to comply within 30 days of this order.

**Sd/-**

**(Vinod Kumar Tiwari)**  
Special Presiding Officer,  
RERA, Bihar