

REAL ESTATE REGULATORY AUTHORITY, BIHAR
IN THE COURT OF SPECIAL PRESIDING OFFICER, RERA, BIHAR
RERA/CC/108/2023

Amit Roy **Complainant**
Vs
M/s DDL Infratech Pvt. Ltd. **Respondent**

Project: AGRANI WOODS

Present: **For the Complainant: Mr. Chandradip Roy, Advocate**
 For the Respondent: Mr. Rabindra Kumar, Advocate

03.06.2026

ORDER

Heard Mr. Chandradip Roy, father of the complainant and Mr. Rabindra Kumar, learned counsel appearing on behalf of the respondent.

2. The complainant has filed this case to get his plot of land.

3. The case of the complainant, in short, is that the complainant bought a land measuring an area of 13610 square feet (31.25 decimal), Plot D-6 on 08th March, 2013 from Agrani Infratech Pvt. Ltd. in their ongoing project “Agrani Woods” at Akhtiyarpur Bihta. The complainant has not received the possession of the land yet, inspite of the project being ready. This issue is nearly ten years old. The plot has not yet been demarcated and handed over to him.

4. The respondent has filed a reply stating therein that the respondent planned to start a real estate project in 2010 anticipating that very soon the entire vicinity would be developed as the State Government announced its development plans for Bihta which included the construction of an Airport at Bihta along with the construction of three new Highways and several other developmental plans. However, the plans did not materialize on the ground due to that still the project is beyond the planning area. The respondent took loan from a financier to complete the project but the Company cheated him and a criminal case was filed at B.K.C. Police Station, bearing No.136 of 2017, where he gave an undertaking to refund

the amount in instalments and he has only paid two instalments and returned Rs.23,00,000/- in lieu of Rs.1,63,00,000/-. The motive of the respondent was always to complete the project and to provide the plot to those persons whose sale deed has been executed and in cases where the land cannot be provided due to shortage of land, then he is ready to return the amount received as per RERA norms in instalments after deducting agreed amount. The new RERA Act came into existence in 2016 and the RERA Rules in 2017. The respondent applied for registration in 2018 and time was given till 25.10.2019 to complete the project. Several sale deed holders have opted for refund of the amount and currently it is refunding and obtaining cancellation deed. The present case is not maintainable either on fact or in law. One Sanjeet Kumar had purchased a plot but when the possession was not given, then he filed a complainant case and in that case, alternate plot was given and a rectification deed was executed. The respondent agreed to refund and the appeal, bearing Reat Appeal No.02/2023, was disposed of by the Appellate Tribunal. In that case, the Appellate Tribunal held that the layout plan was approved by the Mukhiya, who is not a competent authority. The Authority has no jurisdiction in such cases where the competent authority has not approved the sanctioned map plan.

5. Heard both sides and perused the case records. During hearing, the learned counsel for the complainant has argued for possession of the purchased land whereas the learned counsel for the respondent has submitted that the respondent is ready to refund the amount. Further, he requested to dispose of this case in similar terms as has been decided by this Bench in RERA/CC/02/2022 against the respondent. On perusal of the order dated 19.02.2026 passed in RERA/CC/02/2022, it appears that this case is also against the same respondent and the complainant is in the same position of that complaint.

6. Considering the aforesaid facts and circumstances, this case is disposed of with a direction to refund the rest consideration amount and take back and revert back the sale deed within 60 (sixty) days of this order.

7. With the aforesaid observations and directions, this case is disposed of.

Sd/-

(Vinod Kumar Tiwari)
Special Presiding Officer
RERA, Bihar