

**REAL ESTATE REGULATORY AUTHORITY, BIHAR  
IN THE COURT OF ADJUDICATING OFFICER, RERA, BIHAR**

RERA/CC/145/2024

RERA/AO/37/2024

Archna Sahi-----Complainant

v.

M/s Technoculture Building Pvt. Ltd. -----Respondent

PROJECT:VASTU VIHAR, PHASE- 2, MUZAFFARPUR

**07/07/2026**

**ORDER**

The complainant has filed this case to direct the respondent to pay the compensation amount of Rs. 8,82,565/- (includes mental harassment) and Rs. 1 lakh as a litigation cost.

2. The complainant's case in brief is that the respondent developer has not provided completion and occupation certificates and also not completed the common areas and also not completed bathroom in flat, lift not installed, water tanks, septic tanks, drainage system, sewer blockage not provided, no approaching road, not constructed temple, community hall and not completed common areas. Even after several directions by the Authority Bench, the respondent failed to provide reasonable explanation for not providing the basic facilities to the complainant and due to the non-completion of the above said works, the complainant sustained injuries due to which she was hospitalized and bear a loss of Rs. 4,67,813/-. The complainant got the possession of incomplete flat on which the complainant expended her mental harassment from the developer. The complainant suffered a loss of Rs. 1,45,000/- for the said work done.

3. The respondent appeared and filed a petition stating therein that the complainant has filed this case in Form-M before the Adjudicating Officer, whereas the reliefs sought for are the matters of

Authority, which should be sought for in Form-M. So, the present case is liable to be dismissed on this ground alone. The complaint petition is false, frivolous, vexatious and filed with ulterior motive. The respondent company had already handed over possession of the flat in question to the complainant in the year 2021 and thereafter a registered sale deed dated 21.02.2021 was duly executed by the respondent in favour of the complainant. Once the complainant accepted possession and got the sale deed executed and registered in her favour, which clearly demonstrates that she had accepted the flat and transaction and had taken conveyance in respect thereof. The complainant has filed the present complaint after more than two years after taking possession and getting the sale deed executed. The complainant had earlier filed a complaint bearing Case No. 510/2023, which was subsequently withdrawn by her. The complainant had annexed false and fabricated photographs in the earlier proceedings with a view to mislead the Forum. The withdrawal of the said complaint itself speaks volumes about the falsity of the allegations raised by the complainant. The complainant has suppressed the true and complete facts and has not approached this Hon'ble Forum with clean hands. The respondent is not at all responsible for the alleged ill-health and medical expenditure of the complainant. The medical expenditure is wholly imaginary, remote, speculative and legally untenable. The complainant's assertion that she had to complete the flat at her own expenses and incurred Rs. 1,45,000/- is false and concocted. The complainant is put to strict proof of authenticity of the alleged bills, date of place of purchase, mode of payment, actual use in the flat in question, necessity of such expenditure having no proper tax invoices/ GST-supported documents, and do not establish either the actual purchase of the materials for the flat in question, of the respondent had ever admitted any such liability. An amount of Rs. 65,310/- is still payable by the complainant to the respondent towards outstanding dues/ charges, but the complainant is avoiding the same and, with a view to create pressure

and avoid payment, has filed the present false complaint. The present proceedings are thus not bona fide and are a pressure tactic adopted by the complainant. It is incorrect that the project is incomplete in the manner alleged. She has suppressed true material facts including earlier withdrawal of the complainant and the outstanding dues payable by the complainant to the respondent. Hence, this case is to be dismissed and pass any such other order which deem fit and proper.

4. Heard Shri Punit Kumar, learned counsel for the complainant, Shri Hemant Kumar and Shri Dheeraj K. Roy, learned counsels for the respondent. Perused the record.

5. After perusal of the record it appears that this case is filed in Form-M before the Adjudicating Officer. The jurisdiction of the Adjudicating Officer is for compensation and it should be filed in Form-N and if the complainant wants any other relief by the Authority, she may file in Form-M before the Authority. This complaint case is dismissed with the liberty to file in prescribed Form before the competent forum as per relief.

Sd/-

**(Vinod Kumar Tiwari)**  
Adjudicating Officer  
RERA, Bihar