

REAL ESTATE REGULATORY AUTHORITY, BIHAR

**Before the Double Bench of Mr. Naveen Verma, Chairman,
& Mrs. Nupur Banerjee, Members**

Case No. RERA/SM/529/2022

Authorised Representative of RERA.....Complainant

Vs

M/s Vasundhara Homes Pvt. Ltd.Respondent

**Present: For Complainant: Mr. Ankit Kumar, L.R.
For Respondent: Mr. Jai Ram Singh, Advocate**

28/09/2022

PROCEEDING

Hearing taken up. The complainant is present. The respondent is represented by Mr. Jai Ram Singh, Advocate.

Learned counsel for the Authority submits that a petition regarding maintainability of this proceeding has been filed by the respondent.

Learned counsel for the respondent Mr. Jai Ram Singh submits that this matter is also being considered in RERA/CC/397/2019 and therefore, on the principle of *res judicata* this proceeding cannot run in parallel. Learned counsel for the respondent has also referred to various judgments of the Hon'ble Supreme Court in this regard.

The Legal Counsel for the Authority submits that since the parties in the both matters are different and the cause of action is also different, the principles of *res judicata* would not apply in this matter.

The Authority from the records of RERA/CC/397/2019 recalls that a specific direction was given on 07.02.2022 to the respondent promoter to submit an application for registration of the project with the Authority.

Learned counsel for the respondent submits that in absence of a valid map they are not able to submit the application online.

In view of the submissions, the respondent is requested to submit a hard copy of the application for registration to the learned counsel for the Authority within two weeks. He is also requested to submit the cost of the project as decided on the earlier date.

The Authority notes that normally the petition is taken online but in view of special circumstances of this case, it is directed that the petition be taken on hard copy and appropriate decision regarding registration be processed.

Let both the matters i.e. SM/529/2022 and CC/397/2019 be heard together so as to avoid any confusion in the matter. This matter is transferred to the Bench of Hon'ble Member Mrs. Nupur Banerjee and put up on 21.10.2022 at 3.30 P.M.

**Sd/-
Nupur Banerjee
Member**

**Sd/-
Naveen Verma
Chairman**