

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Bench of Mr. Naveen Verma, Chairman

RERA/SM/47/2018

Authorised Representative of RERA

.....Complainant

Vs

M/s Aryavart Lifespace Homes Pvt. Ltd.

.....Respondent

Project: Ashray & Aryavarta Green

For complainant :- Mr. Jainandra Kumar, Adv.

For respondent :- Mr. Mohit Raj, Adv.

20.09.2022

PROCEEDING

Hearing taken up.

Learned counsel for the respondent Mr. Mohit Raj submits that he has filed appeal before the Appellate Tribunal against the proceeding. He also submits that the second appeal is pending before the Hon'ble Patna High Court.

The Authority fails to understand how two appeal are maintainable before two different forums against the same substantive order. As mentioned in the previous proceedings the matter was earlier dismissed by the Tribunal because the promoter had not deposited 30% of the penalty amount. . The Hon'ble Supreme Court of India in the Newtech judgment has reiterated that in the matters concerned penalty amount of 30% has to be deposited before the appeal is to be taken up.

Let this matter be transferred to the Bench of Member.

Put up for hearing on 18.10.2022.

Sd/-
(Naveen Verma)
Chairman