

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

RERA/CC/428/2024

RERA/AO/101/2024

Raman Sinha-----Complainant

V.

M/s Pery Vidya Construction Pvt. Ltd. ----- Respondent

PROJECT: MOHAN SADAN

14/07/2026

ORDER

A petition under Section 39 of the Real Estate (Regulation and Development) Act, 2016 has been filed on behalf of the complainant seeking rectification of the order dated 18.02.2026. It is submitted that paragraphs 3, 4, and 5 of the impugned order dated 18.02.2026 inadvertently record facts which do not pertain to the present case. Instead, the said paragraphs contain the facts of another matter, namely, **RERA/CC/AO/82/2022 (Raju Ranjan vs. M/s Pery Vidya Construction Pvt. Ltd.)**. It is, therefore, contended that the error is apparent on the face of the record and deserves to be rectified.

On the other hand, learned counsel appearing on behalf of the respondent submitted that the order dated 18.02.2026 has already been challenged before the Hon'ble High Court of Patna. It was, therefore, argued that no rectification can be carried out by this Authority at this stage.

As per order 39 of the RERA Act, no such amendment shall be made in respect of any order against which an appeal has been preferred under this Act. Further, it has been provided in the provision that the Authority shall not, while rectifying any mistake apparent from record, amend substantive part of its order passed under the provision of the Act. So considering the fact that the order has been challenged before the Hon'ble High Court and also the part which has been prayed to rectify appears to be substantive part of the order. Hence, this court has no jurisdiction to interfere in that order and this petition is hereby dismissed.

Sd/-

(Vinod Kumar Tiwari)
Adjudicating Officer
RERA, Bihar

