



REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Hon'ble Chairman Mr. Vivek Kumar Singh, RERA, Bihar.

Mrs. Shailendra Kumar Yadav Complainant
Vs
M/s Anu Anand Construction Pvt. Ltd.Respondent

Project: **SAI ENCLAVE "BLOCK-I"**

With

Mrs. Binita Kumari Pandey Complainant
Vs
M/s Anu Anand Construction Pvt. Ltd.Respondent

Project: **SAI ENCLAVE "BLOCK-I"**

With

Deepak Kumar Complainant
Vs
M/s Anu Anand Construction Pvt. Ltd.Respondent

Project: **SAI ENCLAVE "BLOCK-I"**

With

Rajesh Kishore Shrivastava & Ranjan Shrivastava Complainant
Vs
M/s Anu Anand Construction Pvt. Ltd.Respondent

Project: **SAI ENCLAVE "BLOCK-I"**

With

Vivekanand Complainant
Vs
M/s Anu Anand Construction Pvt. Ltd.Respondent

Project: **SAI ENCLAVE "BLOCK-I"**

With

Dr. Manish Kumar Singh Complainant
Vs

RERA/CC/968/2021

M/s Anu Anand Construction Pvt. Ltd.Respondent

Project: **SAI ENCLAVE “BLOCK-J”**

With

RERA/CC/645/2022

Mr. Mukesh Kumar Jha Complainant

Vs

M/s Anu Anand Construction Pvt. Ltd.Respondent

Project: **SAI ENCLAVE “BLOCK-J”**

With

RERA/CC/48/2023

Pramod Kumar Rai Complainant

Vs

M/s Anu Anand Construction Pvt. Ltd.Respondent

Project: **SAI ENCLAVE “BLOCK-J”**

With

RERA/CC/119/2023

Mrs. SoniKumari Complainant

Vs

M/s Anu Anand Construction Pvt. Ltd.Respondent

Project: **SAI ENCLAVE “BLOCK-J”**

With

RERA/CC/440/2023

Amit Kumar Complainant

Vs

M/s Anu Anand Construction Pvt. Ltd.Respondent

Project: **SAI ENCLAVE “BLOCK-J”**

With

RERA/CC/248/2024

Arun Dayal Complainant

Vs

M/s Anu Anand Construction Pvt. Ltd.Respondent

Project: **SAI ENCLAVE “BLOCK-J”**

With

RERA/CC/300/2024

Amit Kumar Complainant
Vs
M/s Anu Anand Construction Pvt. Ltd.Respondent

Project: **SAI ENCLAVE “BLOCK-J”**
With
RERA/CC/314/2024

Dilip Kumar Singh Complainant
Vs
M/s Anu Anand Construction Pvt. Ltd.Respondent

Project: **SAI ENCLAVE “BLOCK-J”**
With
RERA/CC/660/2022

BinitaKumari Complainant
Vs
M/s Anu Anand Construction Pvt. Ltd.Respondent

Project: **SAI ENCLAVE “BLOCK-J”**
With
RERA/CC/422/2023

Ranjeet Kumar Complainant
Vs
M/s AnuAnand Construction Pvt. Ltd.Respondent

Project: **SAI ENCLAVE “BLOCK-H”**
With
RERA/CC/30/2023

Brij Kishore Complainant
Vs
M/s Anu Anand Construction Pvt. Ltd.Respondent

Project: **SAI ENCLAVE “BLOCK-N”**
With
RERA/CC/06/2023

Rakesh Kumar Complainant
Vs
M/s Anu Anand Construction Pvt. Ltd.Respondent

Project: **SAI ENCLAVE “BLOCK-F”**

With

RERA/CC/218/2024

Gaurav Prakash

.... Complainant

Vs

M/s Anu Anand Construction Pvt. Ltd.

....Respondent

Project: **SAI ENCLAVE.**

With

RERA/CC/254/2023

Pankhuri Prakash & Pankhuri Mishra

.... Complainant

Vs

M/s Anu Anand Construction Pvt. Ltd.

....Respondent

Project: **SAI ENCLAVE “BLOCK-E”**

Present: For Complainant: Mr. Ishtiyaque Hussasin, Adv/
Mr. Abhshek Kumar, (Brother of the
complainant)/
Deepak Kumar (in person)/
Mr. Vishwas Vijeta, Adv./
Mr. Hemant Kumar, Adv./
Mr. Punit Kumar, Adv./
Rakesh Kumar (in person)
For Respondents: Mr. Mukul Kumar Singh, Adv.

04/09/2025

ORDER

1. Hearing taken up. The above-noted complaints, nineteen (19) in number, have been filed by different allottees/homebuyers against the respondent-promoter M/s Anuanand Construction Pvt. Ltd. in relation to the project “Sai Enclave”, comprising Blocks “I, J, H, M, N, F & E”.
2. The common grievance raised by the complainants is the failure of the promoter to complete the project within the promised timeframe and to hand over possession of their respective flats. The complainants have accordingly

approached this Authority seeking reliefs for (i) completion of the project within a reasonable time, and (ii) delivery of possession of their allotted units.

3. The complainants are being represented by different learned counsels and representatives listed below as follows-

1. Mr. Ishtiyaque Hussain, Adv.
2. Mr. Abhishek Kumar (Brother of the complainant)
3. Mr. Deepak Kumar (complainant)
4. Mr. Vishwas Vijeta, Adv.
5. Mr. Hemant Kumar, Adv.
6. Mr. Punit Kumar, Adv.
7. Mr. Rakesh Kumar (complainant)

4. Mr. Mukul Kumar Singh has been authorized by the respondent promoter to appear for all the cases of the respondent. As the matter entails compliance of the order of the Hon'ble Patna High Court where RERA has also been impleaded, the Legal Representative, RERA is asked to assist the court for better appreciation of the matter.
5. Perused the Order of the Hon'ble High Court passed in CWJC No.6154/2024 on 06.08.2025. On the basis of the directions given in the aforesaid Writ matter, the project Sai Enclave (new project) has been given extension of registration by RERA, Bihar which is valid till 31.08.2026.
6. The Authority notes that as per order of the Hon'ble High Court, the promoters are expected to complete the project within the deadline fixed along with concurrent order to the agencies like RERA, ED etc. To take necessary action so that compliance of the Hon'ble High Court order is facilitated.
7. From the record, it transpires that the present proceedings were initially entertained on the footing that the project had become lapsed. However, subsequent to the Order of the Hon'ble High Court dated 06.08.2025, the premise on which these complaints rested has undergone a substantial change. The project now stands extended and duly registered till 31.08.2026, and its completion is being monitored under the supervision of the Hon'ble High Court. It is a settled principle of law that

when a higher judicial forum is seized of a matter and has issued operative directions comprehensively covering the grievances raised, a subordinate statutory authority ought to refrain from parallel adjudication so as to avoid multiplicity of proceedings and the possibility of conflicting decisions.

8. Moreover, this Authority is conscious of the doctrine of judicial discipline and the need to give effect to the hierarchical supremacy of orders passed by constitutional courts. Once the Hon'ble High Court has undertaken the supervision of the project and has specifically directed RERA and other agencies to ensure compliance, this Authority cannot proceed independently in a manner that may cause prejudice or amount to judicial impropriety.
9. The contention that this Authority may selectively adjudicate upon certain grievances also cannot be sustained, for the project as a whole is under the overarching supervision of the Hon'ble High Court. To attempt piecemeal adjudication at this stage would not only be imprudent but also inconsistent with the spirit of the High Court's directions.
10. The Authority cannot pick and choose the grievances at this point of time when the project is being completed under the supervision of the Hon'ble High Court.
11. It is clarified that the complainants shall be at liberty to approach appropriate forum for redressal of their grievances. It is further observed that the forum of RERA shall remain available to the homebuyers, in accordance with law, in case grievances arise later on, in the changed circumstances.

Sd-

(Vivek Kumar Singh)

Chairman