

REAL ESTATE REGULATORY AUTHORITY, BIHAR,

Before the Bench of Mr. Ved Prakash,

Special Presiding Officer

RERA/CC/ 168/2023

Anuj Bansal Complainant

Vs.

M/s Tirupati Homes Pvt. Ltd. Respondent

PROJECT: ROYAL GARDEN

For the Complainant: Mr. Alok Kumar Jha, Advocate

For the Respondent: Mr. Sahil Kumar, Advocate

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30.01.2026

ORDER

Learned counsel Mr. Alok Kumar Jha on behalf of the complainant and learned counsel Mr. Sahil Kumar on behalf of the respondent are present.

Learned counsel for the complainant submits that this complaint has been filed by the complainant for a direction to the respondent to execute the Deed of Absolute Sale against Flat no.506 on 5th floor in Block – A of Royal Garden, Nageshwar Colony, Patna within timeframe and to pay the full and final amount of the said flat along with interest and litigation cost as may be fixed by RERA.

Learned counsel for the respondent submits that this case is not maintainable before the Authority as the project was completed much before coming into force of RERA Act, 2016. He also submits that the respondent after obtaining completion certificate submitted a representation on 05.02.2013 to the Municipal Commissioner along with all requisite documents for grant of Occupancy Certificate. He further submits by filing a photo copy of order dated 27.08.2025 passed by the Hon'ble Chairman in RERA/SM/Case nos.708/2025, 711/2025,723/2025 & 577/2022 that since the Hon'ble Chairman has already dropped the *suo motu* case with respect to the above project "Royal Garden", the present complaint, being non-maintainable, may be dismissed. By referring a letter dated 22.12.2020 issued by the Authority, he also submits

that there is no requirement of registration of flats/multistoried buildings from RERA which were constructed/completed before 1st My,2017 and in this case the building was completed much before 01.05.2017.

Learned counsel for the complainant by filing reply dated 18.06.2025 submits that non-registration of the project does not bar the jurisdiction of the Authority. He also submits that mere pendency of the *suo motu* case does not preclude the Authority from proceeding with the present complaint. He further submits that the respondent has not placed on record valid completion certificate by a competent authority prior to 01.05.2017, the date on which the Act came into force.

Having heard learned counsels for the parties and perused the record, the Bench observes that the complainant booked flats in the above project in the month of December, 2012 and the Agreement For Sale was executed in the month of December, 2014, which admittedly is prior to coming into force of the RERA Act, 2016. The Bench also observes that no any document has been brought on record to establish that the above project is undergoing project, rather it is found that the respondent after obtaining completion certificate submitted a representation on 05.02.2013 to the Municipal Commissioner along with all requisite documents for grant of Occupancy Certificate. The Bench also observes that vide order dated 27.08.2025 the Authority has disposed of the *suo motu* proceeding bearing RERA/SM/577/2022 along with other cases initiated against the project "Royal Garden". The Bench also observes that as per letter dated 22.12.2020 issued by the Authority, there is no requirement of registration of flats/multistoried buildings from RERA which were constructed/completed before 1st My,2017 and in the instant case the building appears to have been completed much before 01.05.2017.

In the facts and circumstances of the case and the observations made above, the Bench holds that the present case is not maintainable to be entertained by the Bench/Authority and, accordingly, the instant case is dropped with a liberty to the

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complainant to pursue other appropriate forum/court for redressal of his grievance.

With the aforesaid observations, this case is disposed of.

Sd/-

(Ved Prakash)

Special Presiding Officer, RERA, Bihar