

REAL ESTATE REGULATORY AUTHORITY, BIHAR

**Before the Bench of Inquiry Commissioner Shri Sanjaya Kumar Singh,
RERA, Bihar**

RERA/CC/418/2025

Soni Kumari

.....Complainant

Vs

M/s Badal Constructions Pvt. Ltd.

.....Respondent

Project: VAISHALI ENCLAVE

Appearance:

For the Complainant: None

**For the Respondent: Mr. Kundan Kumar, Managing Director
of the Respondent-Company**

18.09.2026

ORDER

Hearing was last taken up on 19.05.2026 when the complainant was absent and the respondent was represented by the Managing Director of the respondent-Company.

2. The complainant was represented only once during the entire course of hearing by her learned Counsel Mr. Mritunjay Kumar, who had submitted that the present complaint relates to allocation of a car parking space pertaining to Flat No.201/A on second floor, Side-A of “Vaishali Enclave”, the deed of which was executed way back on 02.11.2012. When enquired as to how the present case lies within the jurisdiction of the RERA Court as the matter pertains to nearly four and a half years prior to the enforcement of the Real Estate (Regulation and Development) Act, 2016, learned counsel appearing for the complainant submitted that the Hon’ble Supreme Court in an earlier order has held that the RERA has the authority to act

retroactively in matters pertaining to the projects where the interests of homebuyers lie. However, he failed to produce a copy of the said order. Considering the interest of the complainant, the matter was, however, heard and the M.D. of the respondent-Company was directed to address the issue raised by the complainant which was related to allocation of a proper car parking space.

3. Mr. Kundan Kumar, M.D. of the respondent-Company was present during the entire course of hearing held on 10.03.2026. He submitted that a parking space had already been allocated to the complainant, but she did not occupy the same and instead kept demanding for another parking space. The M.D. of the respondent-Company was directed to delineate the said parking space and provide the same to the complainant.

4. On subsequent date of hearing held on 17.04.2026, the complainant remained absent. However, as a recourse to natural justice, a fresh opportunity was given to the complainant to be present on the next date of hearing held. But on the next date of hearing held on 19.05.2026, the complainant was again absent. The Managing Director of the respondent-Company was present on both the above dates and during the hearing held on 19.05.2026, he submitted that the complainant is the wife of a retired Block Development Officer, who resides near the impugned project. He further submitted that though another exclusive car parking space has been allocated to the complainant along with proper delineation of the same, the complainant is still making frivolous claims regarding the same. The Managing Director of the respondent-Company also submitted that

apart from the above parking space, he has also erected an extra shed for accommodating more vehicles of the complainant.

5. The complainant though was absent on the said date of hearing held on 19.05.2026, but a last opportunity was given to the complainant to file a written notes of argument within seven days from the said date. But despite a lapse of nearly four months, the complainant has failed to comply with the said order and has not filed any notes of argument on her behalf.

6. The Bench therefore presuming that the grievance of the complainant has already been addressed by the respondent and considering that now there is no issue left to be resolved, decides to close this case.

7. The case is thus disposed of accordingly.

SD/-

(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar