

REAL ESTATE REGULATORY AUTHORITY, BIHAR

**Before the Bench of Hon'ble Inquiry Commissioner, Mr. Sanjaya Kumar Singh, RERA,
Bihar**

RERA/SM/705/2025

Authorised Representative of RERA

.....Complainant

Vs

M/s Badal Construction Pvt. Ltd.

.....Respondent

Project: Vaishali Enclave Apartment, Block-A

**Present: For Complainant: Mr. Shiv Sang Thakur, Advocate
For Respondent: Mr. Kundan Kumar, M.D. of the Company**

29/05/2025

ORDER

This matter was last heard on 23.05.2025 when Mr. Shiv Sang Thakur, learned counsel/ authorized representative had appeared on behalf of the complainant/ Authority and Mr. Kundan Kumar, M.D. of the respondent company had appeared in person.

On the submission made by learned counsel for the respondent on 23.05.2025 the learned counsel for the complainant/ Authority was asked to furnish a report after verifying the veracity of the details furnished by the respondent and the earlier case bearing SM/277/2018 and the matter was fixed for order after submission of the report. In compliance of the said direction, he has submitted his report on the same day which reads thus:

1. "Promoter Name: M/s Bada; Construction Pvt. Ltd.
2. Project Name: Vaishali Enclave Apartment, Block-A
3. The respondent has submitted that the project stretches to only one block and the apartment was completed before the enactment of the RERA Act. For the same, the respondent has submitted a sale deed bearing no.4509 dated 21.02.2011 which is found to be genuine. Moreover, the respondent submitted details of suo motu case bearing SM/277/2018 wherehy order dated 23.05.2023, the Authority has already dropped proceedings against the promoter for the above-mentioned project in violation of Section 3 of the RERA Act while observing that the above-mentioned project was completed and sold between 26.02.2013 to 21.02.2021.
4. Thus, accordingly the case may be dropped against the respondent."

On perusal of the report submitted by the learned counsel for the complainant/ Authority, it is clear that the project in question has been developed in the year 2011 i.e. before enforcement of the Real Estate (Regulation and

Development) Act, 2016. In such situation, the question of contravention of Section 3 of the RERA Act, 2016 does not arise at all and this suo motu case is fit to be dropped and as such, no action is required to be taken against the respondent in the present case.

In view of above, this case is, accordingly, disposed of.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar