REAL ESTATE REGULATORY AUTHORITY, BIHAR,

Before the Bench of Mr. Ved Prakash,

Special Presiding Officer, RERA,

RERA/Exe./case no.358/2024

RERA/CC/441/2023

Smt. Urmila Devi …. Executant/complainant

Vs.

M/s D.P.M. Infrastructure & Housing Pvt. Ltd. …. Respondent

PROJECT: **D.P.M.PEARL**

For the Executant: Mr. Bibhuti Narayan Singh, Advocate

For the Respondent: None

25.11.2025 **O R D E R**

Learned counsel Mr. Bibhuti Narayan Singh on behalf of the executants/complainant is present but the respondent is absent.

2. Learned counsel for the executants/complainant submits that vide order dated 25.07.2024 in RERA/CC/441/2023 the then Hon'ble Member Sri S.D.Jha had directed the respondent promoter to deliver possession of 47% share of the total constructed flats including the car parking to the executants/complainant – landowner after completing their construction work with all amenities as per the Agreement as well as completing the legal formalities within two months from the issue of the order but instead of completing the project the respondent is absconding and only structure work of the building has been completed. Presently, plaster work and other amenities for inhabitation are required to be provided by the respondent. He further submits that the project is not registered with RERA and, therefore, delivery of possession as per law may be handed over to her in absence of the respondent -promoter. Lastly, he submits that since the project is not registered with RERA, the Authority may not get the remaining work of the project completed through the competent Authority or by the

Association or any other manner by exercising the power of Section 8 of the Real Estate (Regulation and Development) Act, 2016 (in short, the RERA Act, 2016). So, he requests for disposal of this case so that the executants/complainant may avail other alternative remedy for redressal of her grievance.

3. The Bench observes that the respondent in spite of knowledge of the pendency of the present case has chosen not to ever appear before the Bench and to comply the order passed by the then Hon'ble Member, hence the Bench has no option to pass the order on the basis of material available on record.

4. Heard learned counsel for the executants/complainant and perused the record. It appears that the then Hon'ble Member had directed the respondent – promoter on 25.07.2024 in RERA/CC/441/2023 to deliver possession of 47% share of the total constructed flats including the car parking to the complainant – landowner after completing their construction work with all amenities, but, as submitted above by learned counsel for the executants/complainant, only structure work of the project has been completed. The Bench further observes that the project in question is not registered with RERA and the respondent – promoter has been absconding. In such circumstances, on account of the project being not registered with RERA, remaining work of the project cannot be carried out under the provision of Section 8 of the RERA Act, 2016. The Bench also observes that it is only the competent authority who may be in position to get remaining work of the project completed and delivered 47% share of the total built-up area to the complainant – landowner.

5. Having gone through the record and considering the submission of learned counsel for the executants/complainant that the executants/complainant requests to get this case

disposed of on the ground that RERA is not in position to get the remaining work of the project completed by exercising the power under Section 8 of the RERA Act, 2016 as the project in question is not registered with RERA, the Bench thinks it appropriate to dispose this case as the executants/complainant herself is willing to avail other appropriate remedy for redressal of her grievance.

Taking into consideration the aforesaid facts, this case is disposed of. However, the executants/complainant may, if so advised, seek relief at an appropriate forum.

Sd/-

(Ved Prakash)

Special Presiding Officer, RERA, Bihar.