

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Bench of Hon'ble Inquiry Commissioner, Mr. Sanjaya Kumar Singh, RERA,
Bihar

RERA/CC/455/2024

Mahesh Prasad Mishra Complainant

Vs

M/s Technoculture Building Centre Pvt. Ltd. Respondent

Project: Ashopur Shopping Complex

Present: For Complainant: In person
For Respondent: Mr. Dheeraj Kumar Roy, Advocate

12/03/2026

ORDER

Hearing taken up. The complainant is present in person. Mr. Dheeraj Kumar Roy, learned counsel for the respondent is also present.

Learned counsel for the respondent questions the locus standi of the complainant to file the present complaint case mentioning therein that the actual allottee of the shop in question is Mr. Ashutosh Nandan. He further submits that Mr. Ashutosh Nandan may be the son of the complainant but that does not confer any right on the complainant to file the present complaint case. He also submits that the respondent company is ready to redress the grievances of the allottee in case he files a complaint and the respondent company is also in principle ready to make the refund of payment to Mr. Ashutosh Nandan provided he files a complaint himself in the court as per the provisions of law.

Perused the record of this case. On perusal it is clear that the shop in question has been allotted to Mr. Ashutosh Nandan and hence, it goes without fail that Mr. Ashutosh Nandan is the actual allottee pertaining to the shop in question.

Mr. Mahesh Prasad Mishra raises an objection saying that the amount of Rs.1,88,100/- paid by Cheque No.328088 dated 29.07.2016 has been withdrawn from the Bank account which is in the name of Mr. Mahesh Prasad Mishra and hence, he submits that he be allowed to be acknowledged as the complainant in the present case.

On perusal of the record of the case and hearing the argument of both the parties, it is clear that Mr. Ashutosh Nandan is the actual allottee in the present matter and he is a grown-up adult (not a minor) and hence, he should have filed the complaint and not his father. In such a case, the stand of Mr. Mahesh Prasad Mishra to file the present case as the complainant does not hold good in the eyes of law and hence, this case is dismissed with an instruction to RERA that in case Mr. Ashutosh Nandan files a complaint, the said complaint should be listed on priority for hearing before this Bench.

In the meantime, the respondent is also requested that in case he feels that the said amount is payable to the allottee, he should not wait for the allottee

to file a complaint to make the said payment. He should be diligent enough as the respondent promoter to resolve the dispute and address the issues of the allottee.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar