

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

RERA/CC/456/2024

Rubina Iftekhar Complainant

Vs

M/s Makan Planners & Developers Pvt. Ltd. Respondent

Project: H.B.Tower

Present: For Complainant: Mr. Iftekhar Ahmad, Husband

For Respondent: Mr. Sharad Shekhar, Advocate

15/05/2026

ORDER

The matter was last heard on 20.03.2026 when Mr. Iftekhar Ahmad, the husband of the complainant was present. Mr. Sharad Shekhar, learned counsel for the respondent was also present.

The husband of the complainant submitted that the flat, which was booked by him, has already been handed over to him but the parking space as mentioned in the registered sale deed executed between him and the respondent has not been handed over to him as yet. He also submitted that even the flat which was handed over to him was in an incomplete stage for which he has spent over Rs.5.00 lakh in getting the flat ready. He also claimed for extra spent amount to be given to him.

Learned counsel for the respondent submitted that he is in knowledge of the fact that as per the registered deed a parking space has to be allotted to the complainant. He submitted that as per the talk with the respondent, a parking space has already been allotted to the complainant. He further submitted that in case he has spent any money in getting the flat completed and claims for this amount, this is not the proper forum rather he has to file a complaint case before the learned Adjudicating Officer for getting an adequate compensation in this respect thereby.

The complainant disagreeing with the statement of the respondent submitted that no parking space has yet been allotted/ allocated to the complainant.

The respondent was directed to delineate the parking space allocated in favour of the complainant by getting the wall in front of the parking space painted with exclusive number and the complainant be informed accordingly. The respondent was also directed to submit the compliance report of the above direction along with photograph of the same but the same has not been complied with by the respondent. This court takes serious view of the matter and considers this to be a blatant disregard of the direction given by this Bench.

This case has been pending for a long time for a petty reason which should have been addressed by the respondent long back and even after the direction of the Bench the issue has not been resolved. Hence, this Bench imposes a penalty of Rs.50,000/- against the respondent u/s 63 of the Real Estate (Regulation and Development) Act, 2016. This Bench further directs the respondent promoter to delineate a proper parking space after due allocation of the same in favour of the complainant and get the same painted properly within a period of 60 days from today. The penalty amount is also directed to be paid within a period of 60 days in addition to the allocation and delineation of the parking space.

As regards the claim for compensation, the complainant is at liberty to press the same before the A.O. (Adjudicating Officer) as per the provisions of the Real Estate (Regulation and Development) Act, 2016.

With the above directions and observations, the matter is disposed of.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar