



REAL ESTATE REGULATORY AUTHORITY, BIHAR

**Before the Single Bench of Hon'ble Chairman, Mr. Vivek
Kumar Singh RERA Bihar,**

RERA/SM/589/2023

Authorized Representative of RERA Complainant
Vs.

M/s Homesaaz Infrastructure Pvt. Ltd..... Respondent

For the complainant: Mr. Rishikesh Rajan, Legal
Representative of RERA

For the Respondent: Mr. Akash Deep, Advocate

Project:–ATHARV NIWAS

20.03.2025

ORDER

1. Hearing taken up. Mr. Rishikesh Rajan, Legal Representative, appears on behalf of RERA. Learned counsel Mr. Akash Deep appears on behalf of the respondent.
2. Perused the record. The instant Suo Motu proceeding arises from the order passed in the Complaint Case no.CC/1233/2021. The respondent has filed a sanctioned map purportedly dated 28th June, 2012.
3. The documents filed by the respondent was sent for corroboration to the Patna Municipal Corporation. They have informed that the concerned Mauza - Kathwan is outside the jurisdiction of Patna Municipal Corporation. The concerned Authority further says that the Plan Case no.NPD/Kothwan (R)4-145/12 dated 28.06.2012 was sanctioned by Nagar Parishad, Danapur Nizamat through the

registered Architect Mr. Raman Kumar. The learned counsel for the respondent further submits that they have filed an appeal before the REAT bearing Token no.61/2024.

4. The genesis of the case lies in the complaint filed by Mr. Krishna Murti in the Complaint Case no.1233/2021. While there was nothing on RERA's record apart from home buyer's complaint to trigger action under Section 3 of the RERA Act, the complainant was impleaded and notice was issued to him for appearing before the Authority. It was also made clear that if the home buyer, on whose information this case was initiated, fails to substantively prove the matter, then the purpose of persisting with the same would be defeated.
5. From the record, it transpires that the map of the concerned project was sanctioned in 2012 and the Completion Certificate was purportedly issued in 2015, that is, prior to the enactment of the RERA Act, 2016.
6. As the home buyer's has failed to substantively prove anything which could bring the present case within the ambit of Section 3 of the RERA Act, the present proceeding is dropped.

The matter is , accordingly, disposed of.

Sd/-
Vivek Kumar Singh
Chairman