

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Bench of Mr. Ved Prakash,
Special Presiding Officer

RERA/CC/406/2023

Smirtee Sinha

....Complainant(s)

Vs

M/s Patna Green Housing Pvt. Ltd.

....Respondent

PROJECT- Metro Green City

For the complainant:

Mr. Rahul Srivastava (Adv.)

For the respondent :

None

09.07.2025

ORDER

Shri Rahul Srivastava, learned counsel on behalf of complainant is present, but the respondent is absent.

2. Learned counsel submits that the respondent, in spite of repeated notice, is not appearing. Hence, the case may be taken up for an ex-parte hearing and order may be passed.

3. Considering submission and on going through the record, it appears that during the hearing before the conciliation forum, the Director of respondent company, Shri Amarjit Kumar had appeared, but thereafter none of the Directors has taken pain to appear before the forum or Authority/Bench. Hence, the bench has no option but to hear the case ex-parte and to pass order against the respondent, as the complaint cannot be made to suffer for indefinite period due to non-appearance of other side. Accordingly, the case is taken up for an ex-parte hearing and order is being passed.

4. Learned counsel for complainant submits that the complainant purchased plot no. MGC-04 vide absolute sale deed no. 9766 dated 09.12.2020 in RERA registered project, Metro Green City, bearing no BRERAP00175-3/562/R-734/2019 of the respondent company through its MD, Shri Bhushan Kumar Singh on consideration of Rs. 4,45,000/- and in support of his submission, he has attached the said sale deed as Annexure

-1 to the complaint petition. He further submits that the plot in question having area 1104 sq.ft.(2.5358 decimals) is situated in Mauza – Bhelura Ram Pur, Revenue Thana – Phulwarishariff, Sub-registry office – Phulwarishariff, Sadar Registry office – Patna and Thana no. 49, Tauzi no. 5479, Khata no. 66, Survey Khesra – part of plot no. 764 with boundary, North – Plot no. MGC-03, South – Plot no. D-85, East- Society road & West – Sanjay Kumar (Tun Tun Singh). He further submits that the complainant has paid money for providing amenities, but till date, the respondent has not done any development He further submits that neither the respondent has delivered possession of said land/plot nor is ready to deliver the same. He further submits that the complainant sent letters and informed the respondent through different means regarding delivery of possession of plot, but the respondent has not taken pain to respond to the request of complainant. Hence the complaint.

5. The complainant has filed photo copy of absolute sale deed no. 9766 dated 09.12.2020 executed by the Director, Shri Bhushan Kumar Singh of the respondent company in favour of the complainant, Smt. Smirtee Sinha with respect to the allotted MGC -04 land/plot having area 2.5358 decimals in Mauza – Bhelura Ram Pur, Revenue Thana – Phulwarishariff, Sub-registry office – Phulwarishariff, Sadar Registry office – Patna and Thana no. 49, Tauzi no. 5479, Khata no. 66, Survey Khesra Plot no – part of plot no 764, with boundary, North – Plot no. MGC-03, South – Plot no. D-85, East-Society road & West – Sanjay Kumar (Tun Tun Singh) on consideration of Rs. 4,45,000/-, but the respondent has still not delivered the possession to her. Accordingly, from the documents available on record, it is established that although the said land has been duly registered in the name of complainant, Smt. Smirtee Sinha, the same has not yet been delivered possession to her.

6. Hence, on the basis of discussions made above, and the cogent documents/evidences available on record, the respondent is directed to deliver possession of land/plot having area 2.5358 decimals situated in village, Bhelura Ram Pur in plot no. MGC -04 with boundary, North – MGC -03, South – Plot no. D-85, East- Society link road & West – Sanjay Kumar

(Tun Tun Singh) situated at Mauza – Bhelura Ram Pur, Revenue Thana – Phulwarishariff, Sub-registry office – Phulwarishariff, Sadar Registry office – Patna and Thana no. 49, Tauzi no. 5479, Khata no. 66, Survey Khesara Plot no- part of plot no. 764 to the complainant within 60 days of the order, failing which the respondent shall be liable to pay penalty under the provisions of Section 63 of RERA Act, 2016 @ Rs. 1000/- per day till the date of delivery of possession.

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

Sd/-
(Ved Prakash)
Special Presiding Officer