

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

**RERA/CC/408/2023**

Smt. Usha Devi

....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**

**O R D E R**

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. D-84 and D-85 vide absolute sale deed no. 519 dated 16.01.2021 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 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 2.8930 decimal is situated in Mauza – Bhelura Ram Pur, Survey 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-04, South- Plot No. –D-83, East & West – Society Link Road. 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, despite the fact that the land has already been mutated in the name of the complainant. In support of his submission, he attached the mutation order as Annexure -2. 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 sale deed no. 519 dated 16.01.2021 executed by the Director, Shri Bhushan Kumar Singh of the respondent company in favour of the complainant, Smt. Usha Devi with respect to the land/plot having area 2.8930 decimals in village, Bhelura Ram Pur in plot nos. D-84, D-85 on consideration of Rs. 8,00,000/- with boundary, North – Plot No. – MGC-04, South- Plot No. –D-83, East & West – Society Link Road. The complainant has further filed photo copy of mutation order dated 17.04.2022 passed by C.O – Phulwarishariff in mutation case no. 105860/2021-22, wherein after corrigendum, the said land was mutated in the name of the complainant, Smt. Usha Devi. It shows that the complainant has become the title holder of the land having area 2.8930 decimals situated in Mauza – Bhelura Ram Pur, Survey Thana – Phulwarishariff, Sub-registry office – Phulwarishariff, Sadar Registry office – Patna and Thana no. 49, Tauzi no. 5479, Khata no. 66, Survey Khesra Plot- part of no. 764 with boundary, North – Plot No. – MGC-04, South- Plot No. –D-83, East & West – Society Link Road in the above project registered with the Authority, but the respondent has not yet delivered the possession to her. Accordingly, from the documents, it is established that the

complainant is the owner of the above land and she is entitled for delivery of possession of said land against the respondent.

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 2.8930 decimals, allotted plot nos. D-84 & D-85, situated in Mauza – Bhelura Ram Pur, Circle Thana – Phulwarishariff, Sub-registry office – Phulwarishariff, Sadar Registry office – Patna and Thana no. 49, Tauzi no. 5479, Khata no. 66, Survey Khesara Plot no. 764 with boundary, North – Plot No. – MGC-04, South- Plot No. –D-83, East & West – Society Link Road 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