



REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

Exe. Case No-259/2022
RERA/CC/490/2021

Alka

.... Executant/Complainant

Vs

M/s Sri Anuanand Construction Pvt. Ltd.

.... Respondent

Project: **SAI ENCLAVE**

Present: For Complainant: None

For Respondent: None

08.10.2025

ORDER

1. Hearing taken up. Both the parties are absent.
2. The grievance raised by the complainant in the complaint case is the failure of the promoter to complete the project within the promised timeframe and to hand over possession of her flat. The complainant has accordingly approached this Authority seeking reliefs for (i) completion of the project within a reasonable time, and (ii) delivery of possession of her flat.
3. As the matter entails compliance of the order of the Hon'ble Patna High Court where RERA has also been impleaded, the Legal Representative, RERA is asked to assist the court for better appreciation of the matter.
4. Perused the Order of the Hon'ble High Court Passed in CWJC No. 6154/2024 on 06.08.2025. On the basis of the directions given in the aforesaid Writ matter, the project Sai Enclave (new project) has been given extension of registration by RERA, Bihar which is valid till 31.08.2026.
5. The Authority notes that as per order of the Hon'ble High Court, the promoters are expected to complete the project within the deadline fixed along with concurrent order to agencies like RERA, ED etc. to take necessary action so that compliance of the Hon'ble High Court order is facilitated.

6. From the record, it transpires that the present proceedings were initially entertained on the footing that the project had become lapsed. However, subsequent to the Order of the Hon'ble High Court dated 06.08.2025, the premise on which this execution case rested has undergone a substantial change. The project now stands extended and duly registered till 31.08.2026, and its completion is being monitored under the supervision of the Hon'ble High Court. Thus, the project will now be categorized as an ongoing project. It is a settled principle of law that when a higher judicial forum is seized of a matter and has issued operative directions comprehensively covering the grievances raised, a subordinate statutory authority ought to refrain from parallel adjudication so as to avoid multiplicity of proceedings and the possibility of conflicting decisions.

7. Moreover, this Authority is conscious of the doctrine of judicial discipline and the need to give effect to the hierarchical supremacy of orders passed by constitutional courts. Once the Hon'ble High Court has undertaken the supervision of the project and has specifically directed RERA and other agencies to ensure compliance, this Authority cannot proceed independently in a manner that may cause prejudice or amount to judicial impropriety.

8. The Authority cannot pick and choose the grievances at this point of time when the project is being completed under the supervision of the Hon'ble High Court.

9. It is clarified that the complainant shall be at liberty to approach appropriate forum for redressal of her grievances. It is further observed that the forum of RERA shall remain available to the homebuyer, in accordance with law, in case grievances arise later on, in the changed circumstances.

With the aforesaid observation, this execution case is hereby disposed of.

Sd/-

(Vivek Kumar Singh)
Chairman