

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of

Hon'ble Member Mr. S.D. Jha, RERA, Bihar,

RERA/CC/1236/2021

Usha Sharma..... Complainant

Vs.

M/s Sai Shree Balajee Constructions & Developers Pvt. Ltd. Respondent

For the complainant: None

For the Respondent: None

Project: RANJENDRA CITY RESIDENTIAL APARTMENT

ORDER

20.04.2023

Hearing taken up. The complainant and the respondent both are absent.

The case was last heard on 15.3.2023 and on the request of learned counsel for the complainant one week time was granted by way of last opportunity to make available a legible copy of the map and to clarify the position regarding maintainability of the case with condition that in case of non-compliance the case would be dismissed. The Authority also directed the Registration Cell to submit a report in the light of 4th paragraph of the order dated 11.11.2022, wherein the Bench had observed that the project is not registered with the Authority and requested the learned counsel to clarify whether the project is required to be registered as per Section 3(2) of the RERA Act or not and if, indeed, Section 3 of the Act attracts, a suo – motu proceeding under section 59 of the RERA Act may also be initiated against the respondent promoter.

Perused the record including the proceedings dated 11.11.2022,19.01.2023,20.02.2023 & 15.03.2023 of the Authority.

The Authority notes that the complainant has failed in explaining and clarifying the position regarding maintainability of the case in spite of several opportunities given to him by the Authority. In the last proceeding date (15.3.2023) by way of last opportunity, the complainant was

directed to clarify the position regarding maintainability of the case and to make available a legible copy of the map. It was clearly mentioned that "As requested, the case is adjourned by way of last opportunity with a direction that in case of non-compliance the case would be dismissed". However, today neither the complainant has appeared nor has filed any document including a legible copy of the map to clarify the position regarding maintainability of the case.

Keeping in view the aforesaid facts, the Authority observes that the complainant has conclusively failed to clarify the position regarding maintainability of the case in spite of several opportunities given to him. Further, the complainant has also failed in producing the legible copy of the map in spite of sufficient time given to him for the same.

With the aforesaid observations, this case is dismissed.

A copy of this order be sent to the Registration Cell, RERA, for taking further necessary action in the light of the Authority's Order dated 11.11.2022.

sd/-
S.D.Jha
Member