

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of

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

RERA/CC/480/2023

Raj Kumar Jha Complainant

Vs.

M/s Newton Builders Pvt. Ltd. and Other.Respondent

For the complainant: None

For the Respondent no.1: None

For the Respondent nos.2 & 3: Mr. Amit Singh, Advocate

Project:- SHREYASH GARDEN

ORDER

25.07.2024 Hearing taken up. The complainant and the respondent no.1 – the respondent - company are absent. Mr. Amit Singh, Advocate, appears for the respondent nos. 2 & 3, landowners.

Learned counsel for the respondent nos. 2 & 3 by filing reply dated 25.07.2024 submits that there no allegation against the landowners in this complaint and against the project three Title Suits between the respondent - company and the landowners are pending before the Civil Court, Patna and out of them in Title Suit no.507/2012 vide order dated 30.10.2012 the respondent no.1 has been directed not to sell their share till final disposal.

Taking into consideration the fact that three Title Suits are pending against the project and in one of the Suits interim order dated 30.10.2012 has been passed by the Civil Court and further the complainant and the respondent no.1 – promoter are absent in spite of observation in the proceeding dated 07.06.2024 that in case of non-appearance it would be presumed that they have nothing to say and an order would be passed on the basis of material available on the record, the Authority does not think it appropriate to pass an order in this

case on merit specifically for the reason that the matters of the project in question are sub judice before the Civil Court, Patna and, accordingly, this complaint is dismissed.

With the aforesaid observation, this case is disposed of.

Sd/-
S.D. Jha,
Member