

**REAL ESTATE REGULATORY AUTHORITY, BIHAR
IN THE COURT OF ADJUDICATING OFFICER, RERA, BIHAR**

RERA/CC/85/2024

RERA/AO/14/2024

Birendra Prasad Singh ----- Complainant

v.

M/s Medhatiya Construction Company Pvt. Ltd. ----- Respondent

PROJECT : DREAM CITY, PHASE – 02

02/12/2025 ORDER ON MAINTAINABILITY APPLICATION

Hearing taken up. A maintainability application has been filed on behalf of the respondent- promoter stating therein that the compensation case filed by the complainant is not maintainable, either on facts or in law and the complaint case is vexatious, concocted and has been filed with malafide intention. The complainant has filed this case not only for compensation, rather for penalty also which comes within the jurisdiction of the authority. It is also stated that this Court has no jurisdiction rather the appropriate forum for enforcement of a contract/ agreement is civil court of competent jurisdiction. The respondent/ promoter has already allotted and handed over the peaceful possession of the flat in respect of the car parking space in light of the development agreement. The present complainant is a co-promoter in terms of Regulation 6 of the RERA Regulation, 2024. Therefore, it is to be dismissed.

The complainant opposes the submission of the learned counsel for the respondent and stated that this case is maintainable.

Heard both side. Perused the case record. The facts raised by the respondent/ promoter will be considered at the time of final argument. Accordingly, this maintainability application is disposed of.

Sd/-

(Vinod Kumar Tiwari)
Adjudicating Officer
RERA, Bihar