

REAL ESTATE REGULATORY AUTHORITY, BIHAR
IN THE COURT OF SPECIAL PRESIDING OFFICER, RERA, BIHAR
 RERA/CC/431/2025

Binod Kumar Singh-----Complainant

V.

M/s Sri Anuanand Construction Pvt. Ltd. ----- Respondent

PROJECT:SAI ENCLAVE

20/07/2026

ORDER

The complainant has filed this case to direct the respondent/ promoter to provide physical possession along with possession certificate of the flat under share of the complainant in light of supplementary share division agreement and to complete the project in terms of the Development Agreement and sanctioned map and also liberty to file complaint before the Adjudicating Officer for compensation and/or any other relief/s as deem fit and proper.

2. The complainant's case in brief is that the complainant is a landowner and executed a development agreement dated 04.02.2012 bearing deed no. 2461, in favour of the respondent for development of a Real Estate Project on the land admeasuring area 25 decimal, situated at Mauza- Mustafapur, Thana-Khagaul, Survey Thana- Danapur under Thana No. 36, Khata No. 165, Khesra No. 179, within the jurisdiction of Sub-Registry Office, Danapur, Sadar Registry Office- Patna. The complainant, vide development Agreement dated 04.02.2012 has conferred development rights upon the respondent which has to be exercised in accordance with the terms and conditions mentioned therein, within the prescribed period of time. As per para 14 of the Development Agreement, the construction of the project was to be completed within a period of three years from the date of sanctioning of the map from competent Authority. The respondent executed an unregistered share distribution agreement on Rs. 1000/- Non Judicial Stamp dated 24.02.2021 thereby specifying therein the shares of the complainant in the project in question. After sanctioning of the map from competent Authority the respondent promoter applied for RERA

Registration of the Project in the name of SAI ENCLAVE and thereby the project was granted registration bearing no. BRERAP000/286/R-275/2018 commencing from 06.12.2018 and ending on 22.03.2021. The Authority has revoked the RERA Registration of the project on 26.08.2022 vide memo no. rera-pro-reg-286-2018/773 and even after lapse of 3 years after revocation of the project the Authority has failed to initiate proceeding under section 7/8 of the RERA Act, 2016 or take any other steps for completion of the project. The provisions of the Act by executing multiple sale deed of a single unit to the buyers and the present complainant has strong apprehension that the promoter may have executed sale deeds of the flats falling under the complainant share. As per supplementary agreement/ share division the present complainant has been allotted Flat no. -303, 403, 503, 704, in Block A and Flat no. 704, 805, in Block-E and Flat No. 104 and a shop in Block G, Flat no. 704 in Block J, and Flat no. 402, 202 in Block L. The respondent has completed the super structure of Block A, E, G, J, L of the project in question, but have failed to complete the project in toto.

3. Heard Shri Sumit Kumar, learned counsel for the complainant and Shri Mukul Kumar Singh, learned counsel for the respondent. Perused the case record.

4. The respondent appeared but never filed any reply regarding the case of the complainant and as such the case record proceeded ex parte i.e. material available on record. Even the learned counsel for the respondent appeared but did not file any reply.

5. After hearing and perusal of the record it appears that there is nothing on the record to disbelieve the case of the complainant and as such the complainant appears to get relief as sought for. The respondent is directed to provide physical possession along with completion certificate of the flat under the share of the complainant in the light of supplementary share division agreement and to complete the project in terms of the Development Agreement and sanctioned map.

6. The complainant is at liberty to press other claims, which are in the nature of compensation, before the Adjudicating Officer, RERA.

7. With the aforesaid observations and directions, the case is disposed of.

Sd/-

(Vinod Kumar Tiwari)
Special Presiding Officer
RERA, Bihar