REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Bench of Mr. Ved Prakash,
Special Presiding Officer

RERA/CC/165/2026

1. Om Prakash

2. Sanjit Kumar ....Complainants

Vs.

M/s Bhawani Homes Projects Pvt. Ltd. & Anr. ....Respondent

PROJECT- BHAWANI VILLA

For the Complainant: Mr. Amrendra Kumar, Advocate
For the Respondent : None

03.07.2026 **PROCEEDING**

Learned counsel Mr. Amrendra Kumar on behalf of the complainant is present. Issue notice against the respondent.

Learned counsel for complainant submits that complainant is land owner and on 16.09.2016 a development agreement was executed between the complainant Mr. Om Prakash, Mr. Sanjit Kumar and respondent promoter for development of the project Bhawani Villa but the respondent without execution of share distribution is making transfer of flats to the prospective buyers. Hence, respondent may be restrained to execute sale deed in favour of prospective buyers as due to non-restraint there will be irreparable loss to the complainant.

Though the respondent is absent but it appears from the record that on 16.09.2016 a development agreement was executed between the land owners Mr. Om Prakash, Mr. Sanjit Kumar and respondent promoter for development of Project Bhawani Villa in ratio of 50:50, and the respondent has executed a share agreement on 02.12.2021 and as such Flat No. 509 and others were allotted in the share of the complainants, but the respondent without caring to the said share distribution has executed agreement for sale with respect to the Flat No. 509 with a prospective buyer namely Smt. Pammi Devi.

The complainant has filed photocopy of agreement for sale dated 20.09.2024 executed by Mr. Sanjay Kumar Singh, authorised signatory of the respondent promoter in favour of buyer Smt. Pammi Devi, but it appears from

the development agreement that the said flat is allotted in the share of complainants. Hence, if said Flat No. 509 of the Project is sold to a prospective buyer, there will be irreparable loss to the complainants. Balance of convenience is also in favour of the complaints as the said flat is falling in their share.

In the above facts and circumstances, if the respondents are not restrained from sale / agreement for sale, there will be financial loss as well as harassment to the complainants which may not be compensated in terms of amount. Accordingly, respondents promoter are restrained to execute agreement for sale / sale deed in favour of prospective buyer(s) with respect to the flats falling in the share of complainants including flat No. 509 of the Project.

District Sub Registrar Patna and Sub Registrar Danapur are directed not to register agreement for sale / sale deed with respect to the flats falling in the share of complainants on presentation of the said deed by the respondent promoter / his representative till further order of the Bench / Authority.

Office is directed to communicate the order to the above officers through IG Registration, Bihar for strict compliance.

Put up on 14.08.2026 for appearance of the respondent.

Sd/-

(Ved Prakash)

Special Presiding Officer