REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Inquiry Commissioner, Shri Sanjaya Kumar Singh, RERA, Bihar.

RERA/CC/274/2026

Nuzhat Fatmi .... Complainant

Versus

M/s Nadisa Developers Pvt. Ltd. .... Respondent

Project: **CHISTY NAGAR MEGA CITY**

Present: For Complainant: Mr. Mukesh Kumar, Advocate
For Respondent: Mr. Sumit Kumar Advocate

30.09.2026 **ORDER**

1. Hearing taken up. Learned counsel Mr. Mukesh Kumar appears on behalf of the complainant. Learned counsel Mr. Sumit Kumar appears on behalf of the respondent.

2. Learned counsel for the respondent submits that a complaint case bearing RERA/CC/1204/2021 and RERA/AO/320/2021 had earlier been filed by the present complainant along with one Gesu Syed Hafeez for the same project named 'Chishty Nagar Mega City'. He also submits that the present case has been disposed of by the learned Special Presiding Officer Sri Vinod Kumar Tiwari vide order dated 27.04.2026 wherein he has observed that the land parcel in question cannot be decided by the Authority for the reason that the said land is outside the planning area and accordingly the case be disposed of.

3. Learned counsel for the respondent submits a copy of the said order for appreciation of this Bench. He further submits that despite the land parcel being the outside the planning area, yet since the complainant had purchased the land from the respondent, the possession of the same had been given by the respondent way back in 2013 and had been acknowledged by the complainant vide an affidavit dated 07.011.2023 where she has acknowledged the receipt of possession of the land parcel admeasuring an area of 1361 sq. fit lying in plot no. 644 vide Registry Deed No.10287 dated 07.11.2023. Learned counsel for the respondent also submits that presently the impugned land parcel has been sold by the complainant and hence it is a proof in itself that the complainant has not come before this Bench with clean hands.

4. Learned counsel for the complainant submits that though he had acknowledged the fact that the said area is outside the planning area still since the respondent has taken money from him, he, therefore, has approached the Authority for refund of the entire amount paid by him.

5. Learned counsel for the respondent submits that though the said area is outside the planning area and beyond the jurisdiction of the authority to pass any further order still he submits that the sale deed has already been executed in favour of the complainant in 2013 which has been acknowledged, as per Registry Deed No. 10287 dated 07.11.2023.

6. After hearing the submissions of both the learned counsels for the complainant as well as the respondent, the Bench acknowledges the fact that the same project has already been taken care of by the learned Special Presiding Officer, RERA in his judgment dated 27.04.2026 wherein he has acknowledged the fact that the land parcel is outside the planning area, hence the Bench refrains from taking any further decision in the matter.

This complaint case on the basis of the abovesaid facts is, therefore, dropped. The matter stands disposed of accordingly.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner
RERA, Bihar