REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Hon'ble Inquiry Commissioner, Mr. Sanjaya Kumar Singh, RERA, Bihar

Exe. Case No. 268/2024

RERA/CC/543/2022

Radhey Shyam Agarwal …...Complainant/ Executant

Vs

M/s DDL Infratech Pvt. Ltd. …..Respondent

Project: Agrani Woods

Present: For Complainant: Mr. Mahendra Kumar, Advocate
For Respondent: Mr. Abhinay Priyadarshi, Advocate

07/08/2026 **PROCEEDING**

Hearing taken up. Mr. Mahendra Kumar, learned counsel for the complainant/ executant is present. Mr. Abhinay Priyadarshi, learned counsel for the respondent is also present.

Learned counsel for the complainant/ executant submits that as averred by the learned counsel for the respondent before this Bench during the hearing dated 12.05.2026 that a certificate was issued by the learned Advocate Mr. Siddhartha Prasad on 11.05.2026 mentioning therein that the respondent has filed a writ petition bearing Token No. C.W.J.C.No. 2432/2026 before the Hon'ble Patna High Court, which is totally incorrect as C.W.J.C.No. 2432/2026 is related to a different petitioner Ashok Kumar Singh, who has filed a writ against the State of Bihar on 2nd February, 2026 as evident from a mere perusal of on-line case status down loaded by the complainant. He furnishes a copy of the same before this Bench.

Learned counsel for the respondent submits that the said submission as made on behalf of both the learned counsels regarding C.W.J.C. number filed by the respondent in Hon'ble High Court was by mistake and the actual C.W.J.C.No. is 10087/2026 which is pending before the Hon'ble Patna High Court. He also submits that the respondent has earlier moved the Tribunal in the year 2024 itself but since the Tribunal was not functioning and even after patiently waiting for nearly two years, he could not get any relief from the Tribunal as it was non-functional. He then moved the Hon'ble High Court in C.W.J.C.No. 10087/2026. He, therefore, requests this Bench to refrain from passing any adverse order against the respondent.

Learned counsel for the complainant objects to the averments made by the learned counsel for the respondent submitting therein that mere filing of a writ petition before the Hon'ble High Court can in no way deprive the complainant of his genuine demand. He, therefore, requests this Bench to proceed with further decision in this matter.

On perusal of the record and after hearing the submissions of both the parties, it is clear that a writ petition has been filed by the respondent before the Hon'ble Patna High Court in C.W.J.C.No. 10087/2026 and the same is sub judice in the Hon'ble High Court. However, Since the matter is sub judice before the Hon'ble High Court, this Bench refrains from giving any specific direction to the respondent regarding handing over of the possession of the said land parcel but at the same time, directs the respondent to keep a suitable land parcel available for being handed over to the complainant subject to the final outcome of the abovementioned writ petition (CWJC No. 10087/2026), as per the direction of the Authority vide its order dated 30.04.2024 passed in RERA/CC/543/2022, demarcated in a proper condition and accordingly submit an undertaking to this effect before the next date of hearing.

The respondent is directed to file a compliance report to this effect before the next date of hearing.

Put up this case on 09.10.2026 for further hearing.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar