

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Special Presiding Officer

Mr. Ved Prakash, RERA, Bihar

Exe. Case No. 374/2024

RERA/CC/537/2023

Shilpi Gupta Complainant

Vs

M/s R.R. Builders Pvt. Ltd.Respondent

Project: Sanchar Nagar, Block-3

For the Complainant/s : Shri Jai Ram Singh, Adv.

For the Respondent/s : Shri Rahul Kumar, Adv.

08/09/2025

PROCEEDING

Learned counsel Shri Jai Ram Singh on behalf of the Complainant and learned counsel Shri Rahul Kumar on behalf of the respondent are present.

Learned counsel for respondent files vakalatnama and an application for stay of the proceedings of the present case in light of REAT Appeal filed before the Hon'ble Appellate Tribunal through Token No. 52/2024. Learned counsel further submits that the order dated 09.12.2024 passed by this Bench for seeking status of flat no. 105 through the RERA Team with respect to the Flat No. 105 of Block-3 of the project may be recalled as the said order has been passed prior to the appearance of the respondent.

Considering the submissions as well as going through the record, it appears that the Hon'ble Member, Shri S.D. Jha on 20.06.2024 had directed in RERA/CC/537/2023 to the respondent company and its

Director, Sudha Singh to handover possession of flat no. 105 or any other flat of the same dimension with all amenities and also to execute absolute sale deed in favour of the complainant, after completing all the legal formalities within two months from the date of issue of the order. The Hon'ble Member has also directed to the complainant to make payment of the entire consideration money including Rs. 21,18,600/-, which has been refunded to the complainant before execution of the sale deed.

On perusal, it appears that both the parties are defaulter as the complainant has also failed to deposit the consideration money as per direction of the Hon'ble Member and the respondent has also not taken pain to deliver possession of flat no. 105 or any other flat of same dimension with all the amenities and execute the absolute sale deed in favour of the complainant after completing all the legal formalities. It further appears that the respondent on one or other grounds is avoiding to comply the above order of the Hon'ble Member. Now, the respondent is hammering for recall of the order dated 09.12.2024, wherein the Bench has directed RERA Team to visit at the site of the project and report status of the flat no. 105 of the project on record, wherein the respondent was also directed that if he was not in position to deliver possession of flat no. 105 in Block- 3 of the project he has choice to handover any other flat of same dimension with all the amenities and execute sale deed, but instead of making compliance the respondent is making unreasonable excuse on the ground of pendency of appeal at Hon'ble Tribunal etc. hence the complainant/ Executant is directed to pay the consideration amount as per order of the Hon'ble Member, passed in above case and the respondent is directed to comply the above order of the Hon'ble Member at earliest, preferably till next date, otherwise coercive measures including imposition of penalty of Rs.

1000/- per day under section 63 of RERA Act, 2016 will be imposed as the Hon'ble Tribunal has still not stayed the execution of order passed by the Hon'ble Member.

Accordingly, the petition dated 08.09.2025 for staying the present execution case and further the petition dated 03.06.2025 for recall of order dated 09.12.2024 are rejected.

Put up on 20.10.2025 for further hearing.

Sd/-
(Ved Prakash)
Special Presiding Officer
RERA, Bihar