

REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

RERA/SM/699/2025

Authorised Representative of RERA

.....Complainant

Vs

Shree Md. Shahnwaz Kousar, Partner (Peace Buildtech)Respondent

Project: Qamruddin Plaza

Present: For Complainant: Mr. Abhinay Priyadarshi, Advocate

For Respondent: Mr. Ishtiyaque Hussain, Advocate

09/09/2025

PROCEEDING

Hearing taken up. Mr. Abhinay Priyadarshi, learned counsel for the complainant/ Authority is present. Mr. Ishtiyaque Hussain, learned counsel for the respondent is also present.

Learned counsel for the complainant/ Authority submits that though the present electricity bill submitted by the respondent pertains to the month of April, 2017 but the completion certificate shows that the said completion of the project had been done on 16th of June, 2017. The said completion certificate is a valid certificate has also to be established as the same does not bear the receipt, seal and signature of the competent authority. He further submits that since the said project had earlier been applied for registration in RERA, it itself is a proof that the said project was an ongoing project and hence, no registration of the same tantamounts to violation of the provisions of Section 3 of the RERA Act.

Learned counsel for the respondent submits that an application for registration of the said project was done out of ignorance on the part of the respondent and it was not deliberate. He further submits that the electricity bill along with the completion certificate furnished by him clearly shows that the said project had been completed before enforcement of the RERA Act.

Perused the record submitted. On perusal it is observed that the completion certificate does not bear the seal and signature of the competent authority. At the same time the said certificate is dated 10th July, 2017. It is also mentioned in the said certificate that the said project was completed on 16th June, 2017 i.e. after enforcement of the RERA Act, 2016 which is 1st of May, 2017. The onus of proving the fact that the said project was completed before 1st of May, 2017 lies on the respondent. He is directed to furnish any other document, for eg. sale deed, completion certificate duly signed and received by the competent Authority and it pertains to the period before enforcement of the RERA Act,, failing which it shall be presumed that the said project has been completed and the units pertaining to the same has been sold after the enforcement of the RERA Act, and thus, it entails violation of the provisions of the RERA Act, 2016.

Put up on 16.10.2025 for further hearing.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar