REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Mr. Ved Prakash,

Special Presiding Officer

RERA/CC/202/2025

Draupadi Jha ....Complainant

Vs.

M/s Soumyvinayak Construction Pvt. Ltd. ....Respondent

PROJECT- BHAGWAN SRI RAM COMPLEX

For the Complainant: Mr. Sumit Kumar, Advocate

For the Respondent : None

10.07.2026 **PROCEEDING**

Learned counsel Mr. Sumit Kumar on behalf of the complainant is present but respondent is absent.

Learned counsel for the complainant submits that respondent promoter may be restrained to sale the flats falling in share of the complainant as per share distribution deed dated 21.07.2020 till disposal of the case. He further submits that in spite of knowledge the respondent is not appearing before the Bench. Hence, he may be heard and case may be decided on merit.

Considering submissions and on going through the record, it appears that development agreement dated 14.11.2019 was executed between the complainant and others as well as respondent promoter for construction of multi storey building namely Bhagwan Sri Ram Complex. Later on 21.07.2020 share distribution between the parties was also executed but as alleged the respondent promoter is averment to sell the flats falling in share of the complainant and others. Bench observes that if flats falling in the share of the complainant are sold to the prospective buyer, there will naturally be harassment to the complainant, which may not be possible to compensate in terms of money. The balance of convenience also lies in favour of the complainant as also a prima facie case is in favour of the complainant. In

such view of the matter, if the respondent promoter is not restrained from selling the flats falling in share of the complainant as per share distribution dated 21.07.2020, the complainant will be in financial loss. Accordingly, respondent promoter is restrained from selling the flats falling in share of the complainant namely No. 101, 102, 103, 104, 203, 303, 402, 403 till further order of the Bench / Authority. The District Sub-Registrar, Patna and Sub-Registrar, Danapur are directed not to register sale deed / conveyance deed on presentation by the respondent / his representative for registration with respect to above mentioned flats of the Project.

Let copy the order be sent to the above officers through IG Registration, Bihar for strict compliance.

Issue reminder notice against the respondent for appearance.

Put up on 19.08.2026 for appearance of the respondent.

Sd/-

(Ved Prakash)

Special Presiding Officer