REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Mr. Ved Prakash,

Special Presiding Officer,

Exe. Case No. 135/2024

RERA/CC/602/2022

Mr. Ram Bishun Prasad & Others. ……. Executant(s)

Vs

M/ s Saarthak Hitesh Developers Pvt. Ltd. ……Respondent

PROJECT- RAM LAKHAN PLAZA

For the Complainant: Mr. Anil Kumar, Advocate

For the Respondent: Mr. Sumit Kumar, Advocate

05.10.2026 **PROCEEDING**

Learned Counsel Mr. Anil Kumar on behalf of executant and learned counsel Mr. Sumit Kumar on behalf of respondent are present.

2. Learned Counsel for executant submits that in spite of repeated directions, the respondent is not making compliance of the order passed by the Hon'ble Authority.
3. On other hand, learned counsel for respondent, by filing an application and supply of copy to the learned lawyer for executant, submits that the complainant in this case has submitted an area calculation sheet of his share on basis of his personal knowledge, but for proper adjudication of case, it is necessary that share calculation must be done by authorized architect / civil engineer, and promoter/respondent is ready to submit area of share calculation from authorized architect on next date of hearing.

4. He further submits that it is not out of place to mention that the respondent has preserved the share of the complainant in the project in question till date and if any shortfall is found in the calculated area, then the respondent is also willing to provide the penthouse on the top floor of the project, subject to his right to appeal and writ in this matter. Hence, an adjournment may be granted to the respondent to submit share calculation in area. Which is opposed by the learned counsel for the executant and he submits that the respondent has to deliver the share of flat to the executant as per his calculation submitted and placed on the record.
5. Considering the submissions, it is clear that calculation of the share of area naturally submitted by the executant is based on personal knowledge, but for the need of fine calculation, an expert opinion in manner to arrive at conclusion is required to be done by Chartered Accountant so that if there is any fault in calculation, that may be minutely observed and conclusion may be drawn. In such facts and circumstances, the respondent/promoter is provided a last chance to submit share of calculation done through the Chartered Accountant and if he fails, the calculation done and submitted by the executant as well as respondent may be taken into account and matter may be adjudicated thereon.

Put up on 26.10.2026 for further hearing.

Sd/-

(Ved Prakash)

Special Presiding Officer
RERA,Bihar