REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Mr. Ved Prakash,

Special Presiding Officer,

Exe. Case No. 153/2026

RERA/CC/533/2022

Ms. Shree Kumari ……...Executant(s).

Vs

M/ s Swastika Mangal Developer Pvt. Ltd. ……Respondent

PROJECT- APS KRISHNA ENCLAVE

For the Complainant: Mr. Sumit Kumar, Advocate

For the Respondent No. 1 & 2: None

For the Respondent No. 3: Mr. Amit Singh, Advocate

05.10.2026 **PROCEEDING**

Learned counsel Mr. Sumit Kumar on behalf of executant and learned counsel Mr. Amit Singh on behalf of Respondent No. 3, M/s APS Mass Private Limited, are present, but Respondent No. 1, M/s Swastika Mangal Developers Private Limited, and Respondent No. 2, Mrs. Krishna S. Sharma, are absent. Hence, issue reminder notices against these respondents for appearance.

2. Learned counsel for executant submits that the respondent/promoter during the pendency period of the case may sell the Flat No. 104 to some prospective buyer, and as such the interest of executant may be badly affected. Hence, the sale of Flat No. 104 of the project may be stayed till final adjudication of the execution case.

3. The learned counsel for the Respondent No. 3, M/s APS Mass Private Limited does not oppose the submissions of the learned counsel for executant.
4. Considering submission as well as going through the record, it appears that the executant Smt. Shree Kumari is one of the landowner and as per order dated 24.09.2025 passed by learned SPO, RERA Bihar, has directed the Respondent No. 2 to ensure that the Flat No. 104 is allotted to the share of landowner, and in case of any third-party right is created for that particular apartment, an alternative flat of equivalent area is given to Respondent No. 3 in her share, who would then give this to the allottee.
5. Considering submission, the Bench notes that executant has interest in the Flat No. 104 of the project, and if it is sold by the respondent, there may naturally be affect on the rights and title of the executant, and it cannot be compensated in terms of money and there is irreparable loss to the executant. Accordingly, the respondents are restrained to execute sale deed / conveyance deed in favour of any prospective buyer with respect to the Flat No. 104 in the project till further order of the Bench/Authority.
6. The order be communicated to the Sub-Registrar Danapur, Phulwari Sharif, for strict compliance through IG Registration, Bihar.

Put up on 09.11.2026 for appearance of Respondent Nos. 1 and 2 and hearing.

Sd/-

(Ved Prakash)

Special Presiding Officer
RERA,Bihar