REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Inquiry Commissioner, Sri Sanjaya Kumar Singh, RERA, Bihar

RERA/CC/62/2026

Manoranjan ……Complainant

Vs

M/s Grih Vatika Homes Pvt. Ltd. ……Respondent

Project: Push Vatika

Present: For Complainant: Mr. Abhinay Priyadarshi, Advocate
For Respondent: Mr. Mohit Raj, Advocate

29/09/2026 **PROCEEDING**

Hearing taken up. Mr. Abhinay Priyadarshi, learned counsel for the complainant is present. Mr. Mohit Raj, learned counsel for the respondent is also present.

Learned counsel for the complainant submits that despite regular directions given to the landowner concerned for ensuring her appearance before this Bench, she has deliberately chosen to abstain from the proceedings thereby neglecting and disobeying the directions of the Bench. He further submits that it is a clear case for the landowner Smt. Rajpati Devi to be treated as a promoter in view of the provisions contained in Regulation 6 of the Bihar Real Estate Regulatory Authority (General) Regulations, 2024, which specifically provides that the landowner shall be treated as a promoter in case he sells any property before getting the possession of the same by the promoter concerned. He further submits that the promoter M/s Grih Vatika Homes Pvt. Ltd. did not complete the project and did not obtain a Completion Certificate for the same and hence, did not handover the possession of the said project but still the landowner entered into an agreement for sale on 01.02.2022 which is a clear manifestation of the landowner selling the said property and as such, she ceases to be an allottee and becomes a promoter as per the said provisions contained in the Bihar RERA Regulations. Learned counsel for the complainant also submits that he is now of the view that the said flat which has been purchased by him from the landowner shall never be handed over because even after a lapse of over four years no action in this regard has been taken by the landowner. He, therefore, submits that he has now changed his demand and he wishes to get refund of the entire money paid by him (Rs.23.01 lakh) along with interest as per the provisions of law.

Learned counsel for the respondent when enquired whether the possession has been handed over to the landowner concerned or not, submits that he is unaware about this fact. However, he is in knowledge of the fact that the said project had not been completed in the month of February, 2022 and hence, the Completion Certificate was not ready as far as the present project is concerned. He also submits that he will get in touch with his client and submit

the details whether the said project has been handed over to the landowner concerned or not.

The Bench observes that despite regular persuasion, the respondent landowner Smt. Rajpati Devi has preferred to be absent. The Bench also observes that when the project has not been completed and the Completion Certificate has not been furnished by the promoter concerned as regards the said project, the question of handing over of the possession before completion of the project does not arise. However, it is expected that the learned counsel for the respondent shall submit a detailed report in this regard before the next date of hearing. The landowner concerned Smt. Rajpati Devi, as a last indulgence, is being given a final opportunity to be present on the next date of hearing either in person or through the legal representative and file a detailed written reply on her behalf. Learned counsel for the complainant is also directed to file a written notes of argument before the next date of hearing.

Put up this case on 25.11.2026 for further hearing.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar