REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Mr. Ved Prakash,

Special Presiding Officer,

Exe. Case No- 123/2024

RERA/CC/314/2022

Mr. Surendra Kumar and 10 Others ……Executant(s)

Vs

M/s Hawk Buildtech Pvt. Ltd. ……Respondent

PROJECT: HARICHARAN COMPLEX

For the Complainant: Mr. Sumit Kumar, Advocate

For the Respondent: Mr. Sharad Shekhar, Advocate

06.10.2026 **PROCEEDING**

Learned Counsel Mr. Sumit Kumar on behalf of executants Surendra Kumar and Others, and learned counsel Mr. Sharad Shekhar on behalf of respondent promoter are present, but other set of executants, namely Ravindra Kumar and Others, are not represented.

2. Learned Counsel for executants Surendra Kumar and Others submits that the present project is lapsed one, but the respondent is not making an effort to get extension of the project from the Authority. If respondent will file an extension petition before the Authority, the executants will not make any objection in respect of extension of the project.
3. He further submits that in spite of stay by this Bench, the respondent promoter has executed several sale deeds with respect to the flats/shops. So, he may be directed to produce the said sale deeds on the record.
4. He further submits that the learned Member of the Authority has found that there is no construction available on the project land; rather, in Para- 7(iv),

it has been found that the complainants have made available 46 decimals of land to the respondent promoter to develop multi-storeyed building and the claim of respondent that only 65% land out of the total agreed land has been provided has no leg to stand and accordingly rejected, as the respondent has failed to produce any documentary evidence to show that he has not been provided total agreed land and further, respondent promoter, while making application for registration of the project with RERA, had himself made a statement on affidavit that the agreed land is free from all encumbrances. In such facts and circumstances, the total project land had been provided to the respondent promoter to develop multi-storeyed building, but on one or other grounds, the respondent being inactive, the registration of the project lapsed, and he is not making any effort to get revalidation of map sanctioned from competent authority and thereafter file application for extension of registration of the project.

5. On the other hand, the learned counsel on behalf of respondent submits that the present set of complainants are not cooperating with the respondent, and they have to declare that there is no house existing part of the project land, and on filing of their declaration, he will get map re-approved from the competent Authority. He further submits that since the complainants are not cooperating, the matter may be sent to the conciliation forum for fresh amicable settlement.

6. He further submits that respondent is making every endeavor to complete the project and deliver possession of share of flats to the present set of complainants/executants.

7. Considering the submissions as well as going through the record, it appears that the respondent promoter is making submissions in the same manner from very beginning, but they have failed to file any cogent documentary evidence that they are active in getting the map of the project sanctioned

from the competent Authority. The respondent has further failed to file any petition for extension of registration of the project before the Authority. It shows that the respondents are completely failed to take any active step towards the development of remaining part of the project; hence, they have to take active step, otherwise, coercive action against the respondent, including imposition of penalty under Section 63, may be imposed.

8. Secondly, the matter of handing over of the remaining part of project land has already been made clear by the Hon'ble Member, Sri S.D. Jha, in Para No. 7(iv), in order dated 30.11.2023 in RERA/CC/314/2022; so, re-agitating the same point appears baseless.

9. Thirdly, the respondents are alleged to have executed sale deeds with respect to some units; so, they are directed to file photocopies of sale deed(s) with explanation that under what circumstances, they have executed sale deed(s) during the stay period by this Bench/Authority.

10. Fourthly, a report be called for from S.D.M., Patna Sadar and Danapur, as well as S.S.P., Patna, about the compliance with respect to the order dated 12.01.2026, 21.04.2026, and 23.06.2026.

Put up on 23.11.2026 for further hearing.

Sd/-
(Ved Prakash)
Special Presiding Officer
RERA, Bihar