

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Hon'ble Inquiry Commissioner, Mr. Sanjaya Kumar Singh, RERA, Bihar

RERA/CC/113/2024

Umesh Prasad Gupta

.....Complainant

Vs

M/s Aashritha Homes & Developers Pvt. Ltd.

.....Respondent

Project: Vaidehi Vihar

Present:For Complainant: None

For Respondent: Mr. Sumit Kumar, Advocate

18/03/2026

ORDER

Hearing taken up. The complainant is absent. Mr. Sumit Kumar, learned counsel appears on behalf of the respondent.

Learned counsel for the respondent submits that the said area is not a part of the planning area and hence, the present matter lies out of jurisdiction of this Bench to be heard. He further submits that the said case is out of purview of the Authority which has been established by the order dated 15.07.2022 passed by the Real Estate Appellate Tribunal in REAT Appeal Nos. 38 and 39 of 2022, wherein the Tribunal has specifically mentioned that the present land does not qualify for registration by the Authority. He further submits that the Review Petition bearing No. 3 and 4 of 2023 was also filed before the Tribunal and the Tribunal vide its order dated 23.02.2023 has upheld its earlier decision taken by the order dated 15.07.2022. Learned counsel for the respondent also states that the Division Bench of the Authority after studying the matter in detail has dropped a suo motu proceeding against the said project land vide its order dated 19.12.2022 passed in RERA/SM/547/2022.

Perused the record of the case and also considered the points raised by the learned counsel for the respondent. It is clear that the said project land being out of planning area does not lie in the purview of this court to be heard.

The complainant has submitted in the earlier hearing held on 02.02.2026 that he was duped by the respondent, who had made a false assurance earlier before the booking that the present project was RERA approved and therefore, he had booked a flat and this is the reason why he has filed the present complaint.

Considering the submission of the complainant, this Bench holds that the complainant is at liberty to file a case against the respondent for the fraudulent act conducted by the respondent in the competent court of law, in case, he feels so. This Bench finding that the project land is outside the planning area and thus out of jurisdiction of this court to hear the present case, therefore, considers this case to be fit for being dropped.

This case is disposed of accordingly.

Sd/-
(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar