

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Bench of Hon'ble Inquiry Commissioner, Mr. Sanjaya Kumar Singh,
RERA, Bihar

RERA/CC/233/2024

Afzal Haque Quadri

.....Complainant

Vs

M/s Cosmos Engicon Pvt. Ltd.

.....Respondent

Project: N/A

Present: For the Complainant: Mr. Ishtiyaque Hussain, Advocate
For the Respondent: Mr. Sharad Shekhar, Advocate

19.06.2025

PROCEEDING

Hearing taken up. Mr. Ishtiyaque Hussain, learned counsel appears on behalf of the complainant and Mr. Sharad Shekhar, learned counsel appears for the respondent.

Learned counsel for the complainant furnishes the details of the Bank statement and mentions that a bare perusal of the said statement makes it clear that on three different dates a cumulative amount of Rs.2.5 lakh has been paid in favour of the respondent.

Learned counsel for the respondent submits that the payment was made well before the commencement of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as 'the RERA Act') in the year 2012 itself and therefore the provisions of the RERA Act is not applicable in this case.

Learned counsel for the complainant vehemently opposes and takes a plea that Full Bench of the RERA Authority in a similar case pertaining to Green City Greater Patna Project has passed an order, wherein it has been observed that the complainant is liable to get refund of the paid amount along with the interest.

Learned counsel for the respondent is requested to examine the details and furnish a detailed reply with proper evidence in this regard.

Learned counsel for the complainant is also requested to submit the details of the present case, proving the fact that the said plot is a part of the project where the order has been passed or it is similarly located as the Green City Greater Patna Project.

Learned counsel for the respondent requests for annexures to be provided to him. Learned counsel for the complainant is requested to furnish the same.

Put up on 29.07.2025 for further hearing.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar