REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

RERA/CC/348/2025

Bharat Singh & ors. …...Complainants

Vs

M/s N.J.Homes Pvt. Ltd. …..Respondent

Project: Madhuri Enclave

Present: For Complainant: Ms. Nisha Rani, Advocate
For Respondent: Ms. Kriti Suman, Advocate

21/07/2026 **PROCEEDING**

Hearing taken up. Ms. Nisha Rani, learned counsel for the complainant is present. Ms. Kriti Suman, learned counsel for the respondent is also present.

Learned counsel for the complainants submits that Bharat Singh, who happened to the main complainant, has passed away on 13.06.2026 and his two sons were already on record as complainant nos. 2 and 3 in this case. She has also enclosed a copy of the death certificate of the deceased late Bharat Singh.

On perusal of the said certificate it is apparent that the name of the wife of the deceased complainant, late Bharat Singh is Ms. Madhuri Devi. Learned counsel for the respondent when enquired submits that she has no issue if Ms. Madhuri Devi be impleaded as the complainant instead of late Bharat Singh but she submits that the development agreement bears the name of Bharat Singh and there Madhuri Devi cannot be substituted as it requires a new development agreement to be executed between the landowner and the respondent.

However, acknowledging the request of the complainants, the Bench allows the substitution of Madhuri Devi, who is the wife of late Bharat Singh to be substituted as complainant in this case. Office is directed to act accordingly.

Learned counsel for the complainants submits that the complainants have not got the possession of the flats as agreed upon in the development agreement by the promoter- respondent.

Learned counsel for the respondent submits that as far as the complaint raised regarding handing over the possession of proportionate share is concerned, the same is not acceptable for the reason that the respondent after completing the construction has handed over the possession of due share to the complainants. Learned counsel for the complainant raises her apprehension regarding the same. Learned counsel for the respondent when enquired about the above issue submits that the area of the land, as claimed to have been handed over by the respondent, was less and hence, the respondent had no option but to take another land parcel from a different neighbouring landowner and the respondent had to enter into two development agreements simultaneously with each of the landowners. However, since 50% of the share has been decided in

the project land between the promoter and the respective landowners, the respondent has handed over due share to the respective landowners accordingly.

Considering the submission of the respondent and the apprehension raised by the complainant, this Bench observes that the matter pertains to respective shares of two landowners and the respondent as the promoter. Learned counsel for the respondent is, therefore, directed to furnish a detailed written note mentioning therein as to how much land has been taken from each of the landowners which constitutes to be a part of the project land. The respondent is also required to give in writing as to what are the total number of flats constructed in the project area wise and what are the total number of flats handed over to the complainants both in number and in area. The onus lies on the respondent to satisfy this court that the proportionate share of the flats in area is satisfying the conditions laid in the development agreement pertaining to the same. The respondent is also directed to handover a copy of the entire details to the complainants before the next date of hearing so that he comes prepared on the next date of hearing.

Put up this case on 25.08.2026 for further hearing.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar