REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Mr. Ved Prakash,

Special Presiding Officer,

RERA/CC/381/2023

Mr. Lakshman Prasad ……Complainant(s)

Vs

M/s Suaastha Buildcon Pvt. Ltd. ……Respondent

PROJECT: SUSHILA COMPLEX

For the Complainant: Mr. Abhinay Priyadarshi, Advocate

For the Respondent: None

11.09.2026 **PROCEEDING**

Learned Counsel Mr. Abhinay Priyadarshi, on behalf of complainant is present but respondent is absent.

1. Learned Counsel for complainant files a petition under Sections 8, 11, 35, 36, 37, 38 and 61, of the RERA Act, seeking relief to restrain the respondent from sale, booking, and creation of third-party rights under Section 36, and also imposition of penalty for statutory non-compliance under Section 61 of the RERA Act. Keep on record.
2. Learned Counsel submits that the registration of the project has lapsed, hence, project is lapsed one, and, presently, the respondent is doing no work in the project.
3. He further submits that no compensation is paid to the complainant by the respondent, in spite of clause mentioned in development agreement.

4. He further submits, as yet, the respondent has not filed extension petition for extension of the registration of the project with the Authority.
5. Further, the respondent has not made information on the record, as well as to the complainant as to how much flats has been booked in the project, and how much third-party rights have been created by him.
6. He further submits that respondent has also not taken consent from the complainant to seek extension of the project.
7. He further submits that, in such facts and circumstances, the respondent may be restrained to execute sale deed with respect to the flats in the building/project till decision of the present complaint case.
8. Considering submission, as well as going through the record, it appears that complainant is landowner, and development agreement dated 26.12.2020 was executed between both the parties for the development of project Sushila Complex over the land bearing Khata No. 135, Thana No. 51, Plot Nos. 472, 474, 475(P), situated at Mohalla- Jairam Bazar Khagaul, Mauza- Saidpur, Salempur, Chutra, Pargana- Phulwari, Thana- Danapur, District and Town- Patna.
9. The respondent has got registration of the project on 22.07.2022, and he has to complete the project Sushila Complex till 05.08.2026, and registration certificate was issued accordingly by the Authority, but neither the respondent has uploaded QPR on his web page provided by the Authority, nor filed application for extension of registration of the project with consent of the complainant, nor punctually taking part in proceeding of the present case, which leads to show that neither the project is likely to be completed, nor respondent is active to complete the same at earliest. As the present project is lapsed one, and extension of the registration is not sought with the Authority after consent of the

complainant and allottees as well. However, as alleged by the complainant, the respondent may be in position to sell the flats of the project without share distribution between the parties, which may cause irreparable loss to the complainant and other allottees, as such, it requires interference by this Bench / Authority because, on none restrain to the respondent, he may sell the flats to some other prospective buyers, which may result/ inconvenience to the complainant. The complainant is naturally being landowner, has right to get share of flats; so, prima facie case, as well as balance of convenience, lies in his favour, and there may be loss to him due to sale of flats by the respondent. In such facts and circumstances, respondent has to be restrained from selling the flats during the completion period of the project. Accordingly, respondent promoter/his representative is restrained to execute sale deed/ conveyance deed in favour of any prospective buyer till disposal of the present case by the Bench / Authority.

10. Sub-Registrar, Patna / Sub-Registrar, Danapur / Sub-Registrar, Phulwari Sharif are directed not to register sale deed, conveyance deed on presentation by the respondent promoter, Mr. Pramod Kumar, / his representative, for registration of sale deed / conveyance deed in favour of any prospective buyer till further order of the Authority.
11. Commmunicate the order to the concerned Officers through IG Registration Bihar, Patna, for strict compliance.

Put up on 07.10.2026 for further order.

Sd/-

(Ved Prakash)

Special Presiding Officer