REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

RERA/CC/400/2025

Chandra Bhushan Singh Abhay .... Complainant

Versus

M/s Ashirwad Engicon Pvt. Ltd. .... Respondent

Project: **ASHIRWARD ROSE VALLEY**

Present: For Complainant: In person
For Respondent: None

14.10.2026 **PROCEEDING**

1. Hearing taken up. Mr. Chandra Bhushan Singh Abhay, complainant, appears in person. Nobody appears on behalf of the respondent.

2. The complainant reiterates his earlier statement and submits that despite an assurance given by the learned counsel for the respondent during the previous date of hearing held on 29.07.2026, he has failed to comply with the direction given by this Court and has not submitted any document regarding any adjustment made against the flat booked by his wife Mrs. Pushpa Sinha. The complainant submits that the flat booked by his wife lies in another project developed by the same promoter in the name of 'Ghanshyam Enclave' and the matter pertains to the final registration of the deed in favour of his wife wherein the last instalment has to be paid by the bank for which the bank has given a certificate to the respondent-promoter but the same has not been complied with to the extent that the promoter has not disclosed the exact date as to when is he going to register the said flat in the name of his wife and for this reason, the bank has not released the final instalment of the due amount. The complainant further submits that the plea of adjustment of the amount paid by the complainant as averred by the learned counsel for the respondent during the previous date of hearing is totally incorrect and misconceived.

3. The complainant also submits that he has paid a total amount of Rs.5,25,000/- for flat no.1001 in the impugned project 'Ashirward Rose Valley' and had simultaneously applied for loan in the bank which was sanctioned but the bank refused to disburse the same as it was stopped by the respondent–promoter giving instruction to the bank and mentioning that they were not

ready to hand over the possession of the said flat in favour of the complainant. The complainant, therefore, submits that the total exercise of denial has been done with a malafide intention by the promoter quoting no reason. He also submits that after the present complaint being filed in RERA, the respondent with ulterior motive and malafide intention has cancelled the booking of the same without disclosing any reason and simply mentioning that the complainant has defaulted in payment of the due instalment.

4. The Bench observes that the entire exercise of denial at the end of the respondent sent to the bank in order to ensure that the bank disallows disbursement of the loan has been done by the respondent without quoting any reason for the same. Even otherwise the respondent is taking a plea that money deposited by the complainant has been adjusted towards booking made by his wife but has failed to furnish any evidence regarding the same.

5. The Bench further observes that in the absence of any pertinent reason for cancelling the booking, when the complainant is ready to make the entire payment through his own resources and also through the loan taken from the bank, hence the Bench deems appropriate to take strict action against the respondent in this regard in order to ensure protection of the interest of the complainant as a homebuyer.

6. The Bench, therefore, imposes a complete ban on the sale of all the unsold units of the present impugned project 'Ashirward Rose Valley' to any other person except the complainant till further orders.

7. IG, Registration, Bihar, Patna is requested to issue necessary instructions to the Sub-Registrar concerned for ensuring the compliance of the abovesaid direction.

Put up for hearing on 15.12.2026.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner
RERA, Bihar