REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

Exe. Case No -209/2023
RERA/CC/1205/2021

Ram Niwas Tiwary .... Executant/ Complainant

Versus

M/s Ezzion Construction Pvt. Ltd. .... Respondent

Project: **RAMAGGYA RESIDENCY**

Present: For Complainant: Mr. Rajesh Kumar Sharma, Advocate
For Respondent: Mr. Shiv Shankar Dubey, Advocate

24.07.2026 **PROCEEDING**

1. Hearing taken up. Learned counsel Mr. Rajesh Kumar Sharma appears on behalf of the complainant. Learned counsel Mr. Shiv Shankar Dubey appears on behalf of the respondent.

2. Learned counsel for the executant is present and has filed a written submission regarding the requirement which is still to be completed by the respondent (promoter). A copy of the same has been given to the learned counsel for the respondent today in Court.

3. Learned counsel for the respondent submits that initially five points were mentioned by the complainant and they have already been taken care of and the work is in progress in the said case. He also reiterates that the original promoter of the respondent company (Md. Ejaz Hussain) is absconding and now the onus has been laid upon Mr. Kumud Kumar, who, out of his personal resources, is managing the entire work. He, therefore, submits that he is in a financial crunch and as such, he is ready to rectify the deficiencies as contained in the order dated 20.01.2023 passed in RERA/CC/1205/2021 and also demanded by the learned counsel for the complainant but he requires a minimum time of six months for doing the same. The Bench observes that already a considerable time has been given to the respondent for rectification of the deficiencies.

4. Learned counsel for the complainant expresses his utter dissatisfaction with the work done by the respondent and submits that no work has been

done as yet except for putting a shed over the generator and the firefighting work, which is still in progress.

5. The complainant, who is also present in person, submits that the averments of the learned counsel for the respondent are not correct as the fire-fighting system is not functional and apart from this, the parking space is in a shabby condition and also the lift installed is not functional at present.

6. Learned counsel for the respondent submits that the mechanic is working today and the fire-fighting system shall be put in order within a period of fifteen days. He also submits that the respondent is working on the parking area and the same shall be done within a short period. He further submits that the lift has been installed in the year 2019 and it is out of the maintenance period and now it is the onus of the allottees to get it done. When enquired - whether the Association of Allottees has been formed by the respondent or not, he expresses his unawareness about the same.

7. Learned counsel for the complainant submits that the Association of Allottees has not been formed by the respondent. The learned counsel for the respondent is directed to form the Association of Allottees as per the provisions of Section 11(4)(e) of the Real Estate (Regulation and Development) Act, 2016

8. Learned counsel for the respondent is directed to ensure the compliance of rectification of the deficiencies in compliance with the order of the Authority and also as pointed out in the written submission given today by the complainant.

9. It is made clear that in case the respondent fails to rectify the deficiencies and ensure the compliance of the order, this Bench shall proceed further to issue strict penal orders against the respondent as per the provisions of the Real Estate (regulation and Development) Act, 2016.

Put up for hearing on 11.09.2026.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner
RERA, Bihar