

REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

RERA/CC/65/2025

Krishna Kumar

.....Complainant

Vs

M/s Nutan Construction

.....Respondent

Project: Lotus Garden

**Present: For Complainant: Mr. Rabindra Kumar, Advocate
For Respondent: Mr. Jai Ram Singh, Advocate**

25/08/2025

PROCEEDING

Hearing taken up. Mr. Rabindra Kumar, learned counsel for the complainant is present. Mr. Jai Ram Singh, learned counsel for the respondent is also present.

Learned counsel for the complainant submits that despite a title suit pertaining to the project land over which the project is being constructed is pending, still the respondent has managed registration of the said project from the RERA Authorities.

Learned counsel for the respondent vehemently denies the submission made by the complainant. He submits that the said project has already been completed and occupancy certificate has been obtained from the competent authority following which the entire flats in the share of the respondent have already been handed over to the respective occupants/ buyers and also to the respective landowner as per the development agreement. When enquired whether any complaint was filed earlier by the complainant against the respondent regarding his claim over the said project land, learned counsel for the respondent says that there was no complaint whatsoever in any form regarding the land from the said complainant.

The complainant was also asked regarding this and the complainant says that though he has not made any formal complaint in this regard, he was always in touch with the said respondent and apprised him regarding the pending title suit. The complainant was also enquired as regards any complaint being filed by him before the Authority, learned counsel for the complainant said that he was not in knowledge of the fact that any application for registration had been filed pertaining to the impugned land and therefore, he did not file any complaint.

Learned counsel for the respondent questions the locus standi of the complainant and submits that he is neither a flat owner nor the landowner nor the promoter. He further submits that in case a title suit is pending before the

competent Civil Court which has not yet been decided in his favour, in such case the complainant has no locus standi to come before this Bench in the present scenario and as such, this case is ab initio void.

Learned counsel for the respondent requests for a copy of the complaint petition to be given to him. Learned counsel for the complainant is requested to handover a copy of the same to the respondent apart from furnishing a copy of the title suit pending before the Civil Court.

Put up this case on 18.09.2025 for further hearing.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar