REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Mr. Ved Prakash,

Special Presiding Officer

Exe. Case No. 114/2026

RERA/CC/78/2024

Dr. Anubhuti Sharma ....Executant

Vs.

M/s Deva Developers Pvt. Ltd. ....Respondent

PROJECT- DENA TOWER-II

For the Executant: Mr. Akash Deep, Advocate

For the Respondent : None

25.08.2026 **PROCEEDING**

Learned counsel Mr. Akash Deep on behalf of executant is present but respondent is absent.

Learned counsel for executant by filing a petition submits that ld. SPO on 17.04.2026 has directed the respondent to deliver possession of 3 BHK flat of A Type on 1st floor along with Car Parking Space no. 35 in the project "Deva Tower-II" situated at Mauza – Singhaul, Ward No. 2, District – Begusarai and execute registered sale deed in favour of the complainant after completing all legal formalities within two months and has further directed the complainant to make payment of remaining consideration along with interest and GST. He further submits that the complainant is under strong apprehension that the respondent promoter may create third party interest in the said property during the pendency of the present execution petition and he has not appeared before the Bench in spite of notice.

Learned counsel further submits that respondent has preferred a writ petition bearing CWJC No. 9960/2026 before the Hon'ble Patna High Court against the order under the execution in the instant case. However, there is no stay order in the aforesaid CWJC No. 9960/2026 by the Hon'ble High

Court. Hence, the respondent may be restrained to execute sale deed / conveyance deed in favour of any prospective buyer with respect to 3 BHK Flat of A Type having carpet area 1029 sq. ft. along with car parking space in the project Deva Tower-II.

The respondent, in spite of notice has failed to appear before the Bench.

Considering submissions as well as on going through the record, it appears that on 17.04.2026 ld. SPO, RERA, Bihar has passed order in RERA/CC/78/2024 and directed the respondent promoter to deliver possession of 3 BHK Flat of A Type having carpet area 1029 sq. ft. on 1st floor along with car parking space No. 35 in the project Deva Tower-II situated at Mauza – Singhaul, Ward No. 2, District – Begusarai and execute the registered sale deed in favour of the complainant after completing all legal formalities within two months from the date of order.

The complainants were also directed to make payment of remaining consideration amount along with interest @ 2% above MCLR of State Bank of India to the respondent from the date amount became due till the date of payment along with GST amount @ 5% after handing over delivery of possession of the flat and before execution of sale deed by the respondent in favour of the complainant.

Presently, the executant has apprehension that respondent instead of delivery of possession of flat in question and execution of sale deed may alienate / transfer the flat to the prospective buyer and also make delivery of possession to him. Hence, there will be irreparable loss to the executant. The prima facie case in favour of the complainant is available and the respondent has to deliver possession and execute sale deed. In such facts and circumstances, if the respondent is not restrained to alienate / transfer the flat to third party he may not only deliver the flat but also to execute sale deed in favour of any prospective buyer. Accordingly, the respondent promoter is restrained to alienate / transfer and execute sale deed in favour of prospective buyer till further order of this Bench.

The Sub-registrar, Begusarai is directed not to register sale deed / conveyance deed in favour of any prospective buyer with respect to the flat in question mentioned above till further order of this Bench / Authority on presentation by the respondent / his representative for registration.

The order be communicated to the above officers through IG Registration, Bihar for strict compliance.

Put up on 22.09.2026 for appearance of the respondent.

Sd/-

(Ved Prakash)

Special Presiding Officer