

REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

RERA/CC/259/2025

Dhananjay Kumar SinghComplainant

**Vs
M/s Smart Choice Homes Pvt. Ltd.Respondent**

Project: Radhe Enclave

**Present: For Complainant: Mr. Sumit Kumar, Advocate
For Respondent: None**

For Authority: Mr. Ankit Kumar, Advocate

07/01/2026

PROCEEDING

Hearing taken up. Mr. Sumit Kumar, learned counsel for the complainant is present but the respondent is absent. Mr. Ankit Kumar, learned counsel for the Authority is also present.

Learned counsel appearing on behalf of the Authority submits that, as per the directions of the Authority, he is appearing before the present Bench to assist in the matter. He further submits that the same matter was earlier listed before Sri Ved Prakash, Special Presiding Officer, where it was heard once. The matter was first heard before this Bench on 18.11.2025, and a detailed report was called for from the Registration Wing. He further requests that the present matter may be heard by this Bench, as it relates to the revocation of the project and the report has already been submitted.

Considering the request of Mr. Ankit Kumar, learned counsel for the Authority and also on perusal of the record I find that this matter has already been heard on 18th November, 2025. Let this case be heard in this Bench itself till the final adjudication of this case.

Learned counsel for the Authority submits that a title suit bearing T.S. No. 126/1996 in respect of land bearing Khata No. 385, Plot No. 1649, Mauza Danapur Sahajadpur is pending before the Civil Court, Danapur, in which an injunction order was passed vide order dated 03.03.1998. The Civil Court, vide its order dated 12.03.2023, held that while the status quo order dated 03.03.1998 remains valid, there is no provision under Order XXXIX of the CPC to transmit such order to other authorities through the Court. However, the applicants were permitted to independently submit copies of the status quo order to the concerned departments. It is further submitted that on the same piece of land, project registration for Radhe Enclave was issued on 05.08.2022.

Learned counsel for the complainant reiterates the submissions made by the learned counsel for the Authority. He further requests that, since the injunction order is still in force, a complete ban on selling, executing any sale deed, or creating any third-party rights may be imposed in respect of the project.

Since the injunction order is still in vogue, restrictions are imposed on the promoter from selling, executing any sale deed, or creating any third-party rights in respect of the said property till the final injunction order is vacated. Further, a show-cause notice under Section 7(2) of the RERA Act, 2016 is directed to be issued against the respondent/promoter as to why the registration of the project granted to the respondent under Section 5 of the RERA Act, 2016 should not be revoked.

The office is directed to ensure prompt compliance of the above directions.

Put up this case on 17.02.2026 for further hearing.

Sd/-
(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar