REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

Exe. Case No. 182/2022

RERA/CC/687/2019

Bairister Shahi ……Complainant/ Executant

Vs

M/s Raman & Kumar Construction Pvt. Ltd. …..Respondent

Project: Rajaram Palace

Present: For Complainant: Ms. Kriti Suman, Advocate
For Respondent: None

16/10/2026 **PROCEEDING**

Hearing taken up. Ms. Kriti Suman, learned counsel for the complainant/ executant is present. The respondent is absent.

Learned counsel for the complainant/ executant submits that a cheque of Rs.4.50 lakh given to the learned counsel during the hearing in the court by Ms. Puja Singh, the Director of the respondent company was presented in the Bank for encashment a couple of days earlier and the Bank informed today that the cheque could not be honoured / encashed for the reason of insufficient balance in the account. She submits that the complainant is going to file a criminal case against the respondent u/s 138 of the Negotiable Instrument Act and will be furnishing a copy of the same before this court for further necessary action to be taken in this regard.

No representation from the respondent was there today and hence, their point of view could not be registered.

However, the Bench takes serious note of this fact that despite cheque of only a partial amount given by the Director of the respondent company on being physically present in the court, when she handed over the same to the learned counsel for the complainant before the court itself and the same getting bounced for the reason of insufficient balance is not only an act which is in contravention of the provisions of the N.I.Act but also represents sheer negligence and utter disregard for the court. Learned counsel for the complainant submits that they are in a sort of practice on a regular basis and earlier also they had given the cheque to the complainant and the same was stopped. The Bench, therefore, taking it seriously directs for a complete freezing of the said Bank account and directs the concerned Bank to ensure that the said amount remains frozen till further orders. The Bench also directs to show cause as to why necessary penal action as follows should not be taken against the respondent:

(i) The case be referred to the Economic Office Unit (EOU) as it is quite apparent that the respondent has misused the money kept

with him and has also played foul on the complainant by issuing a cheque and then allowing the same to bounce.

(ii) Why not the respondent be blacklisted and debarred from taking further registration with RERA?

(iii) Considering the act of the respondent to be a total disobedience and disregard of this court, why not a penalty u/s 63 of the Real Estate (Regulation and Development) Act, 2016 be imposed upon the respondent?

Later on Ms. Snigdha, learned counsel appears on behalf of Mr. Sumit Kumar, who is the actual learned counsel for the complainant/ executant and files a time petition stating that Ms. Puja Singh, the Director of the respondent company is suffering from typhoid and hence, she could not come to the court today. She has also stated that the respondent company paid Rs.50,000/- to the complainant on 16.10.2026 and in proof thereof, she has filed a receipt for the same.

Put up this case on 04.12.2026 for further hearing.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar