REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

Exe. Case No. 20/2023

RERA/CC/1198/2021

Viresh Nath ……Complainant/ Executant

Vs

M/s Narayan Realtech Pvt. Ltd. …..Respondent

Project: Vishnudeo Palace

Present: For Complainant: In person
For Respondent: None

16/10/2026 **PROCEEDING**

Hearing taken up. The complainant/ executant is present in person. The respondent is absent.

The complainant/ executant submits that as per the direction given by the Bench, he visited the registration office where he was confirmed by the registration office that on his booked Flat No.202 no third party right has been created till date and the said flat as far as registration records are concerned is having only the agreement for sale in its record which was executed between him and the respondent company. He, therefore, submits that as per the information given by the Registration Department, the said flat is completely free to be handed over to him. He also submits that he had earlier paid Rs.20.00 lakh out of the total consideration amount of Rs.25.00 lakh and as per his statement there was no delay in payment of Rs.20.00 lakh which was done as per the agreement for sale. However, as an afterthought the respondent returned Rs.3.00 lakh to him. He is always willing to pay the entire remaining amount to the respondent but the respondent is not willing to accept the same. He, therefore, approached this court in the present execution case for compliance of the order dated 03.08.2022 passed in RERA/CC/1198/2021.

On perusal of the order passed in RERA/CC/1198/2021 it is clear that the Authority vide its final order dated 03.08.2022 had directed the respondent and its Directors to handover the flat with all amenities and facilities as per the agreement for sale and brochure of the project. The Bench further observes that the said order still prevails and the respondent has never challenged the same before any higher court/ Tribunal. The respondent is, therefore, bound to comply with the directions given in the said order. In such a case, the respondent is directed to show cause as to why necessary action for possession of the flat be not taken in order to ensure that the same is handed over to the complainant by taking recourse to legal measures. In such circumstances, the respondent is directed to accept the entire remaining amount from the complainant/ executant and the interest amount, if any, and handover the possession of the said booked flat to the complainant.

It is made clear that in case the respondent does not take any proper action in this regard till the next date of hearing, the Bench will be constrained to direct the complainant to pay the entire remaining amount through a Bank draft in this court, after which the court shall also take necessary action for providing the possession of the impugned flat to the complainant by taking recourse to legal measures.

It is again reiterated that the restriction over sale of the impugned booked Flat No. 202 of the impugned project Vishnudeo Palace shall remain in vogue till further orders.

I.G., Registration is requested to instruct the Sub Registrar concerned to ensure that no sale pertaining to the said flat except that in favour of the complainant be made till further orders.

The complainant is directed to furnish a letter from the Sub Registrar concerned of Registration Department that the flat booked by the complainant has not been sold to any other person (3rd party). The complainant is also directed to furnish an undertaking that he is willing to deposit a bank draft of the entire remaining consideration amount pertaining to the present booked flat.

Put up this case on 04.12.2026 for further hearing.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar