REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

RERA/CC/115/2026

Abhishek Choudhary& Anr. …...Complainants

Vs

M/s Gomati Ganga Infracon Pvt. Ltd. ……Respondent

Project: Gangotri Kunj

Present: For Complainant: Mr. Aalok Kumar, Advocate
For Respondent No.3: Mr. Aatish Kumar, Advocate

For Respondent No.4: Mr. Rajesh Ranjan, Advocate

28/07/2026 **PROCEEDING**

Hearing taken up. Mr. Aalok Kumar, learned counsel for the complainants is present. Mr. Aatish Kumar, learned counsel for respondent np.3 and Mr. Rajesh Ranjan, learned counsel for respondent no.4 are also present. Respondents no. 1 and 2 are absent.

Learned counsel for the complainants submits that he has downloaded the details of the Directors from MCA portal which makes it clear that Mr. Manoranjan Kumar Singh is the Managing Director of the Company and there are two Directors, Mr. Upendra Kumar and Mr. Kaushal Priyadarshi. The date of appointment of the Managing Director Mr. Manoranjan Kumar Sinha and the Director Mr. Upendra Kumar is 12.04.2013 and the date of appointment of Mr. Kaushal Priyadarshi, the Director is 25.02.2019.

Learned counsel for the complainants is directed to furnish the e-mail I.D. and phone number of the Managing Director so that the direction to ensure his appearance be given to him.

Learned counsel appearing for the respondent no.4 has submitted his written reply today and has also served a copy on the complainant as well as the respondent no.3. He further submits that since he has joined as Director in the year 2019 and before that date, the development agreement had already been executed in the year 2017, hence the onus of executing the same lies on the other respondents and not on him. When enquired whether the project had been completed before the period when he was appointed as Director, he submits that the project is still in the process of construction. When further enquired whether 4th floor has been constructed after taking due permission from the RERA Authority or not, he submits that a permission was taken from Nagar Parishad, Phulwari Sharif but he failed to explain as to why an application for taking permission from the Authority was not filed.

Learned counsel appearing for the respondent no.3 submits that since he is only a Director the entire onus of fulfilling the liability as per the development agreement lies on respondent no.1 i.e. the company and the Managing Director of the company, who is respondent no.2. He further submits that he has received

the complaint petition today only and therefore, he will file a reply after studying the same on the next date of hearing.

Learned counsel for the respondent no.4 submits that the complainants are entitled for 25% of the share as per the development agreement and 25% pertains to a different landowner other than the complainants. He further submits that altogether 12 flats have been constructed up to G+3, out of which 3 flats are intact to be handed over to the complainants, the nomenclature of which is Flat No.101, 104 and 201. He also submits that 4th floor is in process of construction and the same has not been decided as yet. However, as per the development agreement, the flats constructed on the 4th floor shall be distributed in the same fashion.

Learned counsel for the complainants is directed to furnish his written reply as regards his demand and expectation from the respondent so that their grievances could be redressed.

On perusal of the record, it is clear that a report has been submitted by the Registration Wing under the signature of O.S. of the Registration Wing of the Authority, which makes it clear that no permission has been taken from the Authority for construction of 4th floor of the impugned project named Gangotri Kunj.

Learned counsels for the respondents are directed to file a show cause in writing as to why necessary penal action as per the provisions contained in Section 3 of the Real Estate (Regulation and Development) Act, 2016 be not initiated against the respondent for constructing 4th floor without formal permission from the Authority.

Put up this case on 15.09.2026 for further hearing.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar