**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

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

**RERA/CC/369/2025**

**Nandan Kumar ……Complainant**

**Vs**

**M/s Roof Engicon Pvt. Ltd. ……Respondent**

**Project: Heaven City**

**Present: For Complainant: Mr. Sumit Kumar, Advocate**
**For Respondent: Mr. Sanjay Kumar Singh, Director**

**29/07/2026** **PROCEEDING**

Hearing taken up. Mr. Sumit Kumar, learned counsel for the complainant is present. Mr. Sanjay Kumar Singh, the Director of the respondent company is also present.

Learned counsel for the complainant submits that he is not in receipt of the proportionate share and he also submits that it is quite surprising that the respondent has even sold the vacant land which is a part of the common area without giving any knowledge to the complainant (landowner concerned). He, however, came to know about it and got the Jamabandi suspended for the same.

The Director of the respondent company furnishes a flatwise details of the carpet area and the cost status. He submits that the two properties named Triveni 5 and Triveni 6 have been allocated to the landowner as per the development agreement and still one property named Ganga-1 is remaining vacant, for which no sale deed has been done. Barring these three flats, six flats have been sold.

Learned counsel for the complainant is directed to study the details furnished by the respondent and file a detail written note specifying whether it suffices the conditions outlined in the development agreement or not.

Meanwhile, this Bench observes that a vacant land which is a part of the project land has been sold/ tried to be sold to an allottee by the promoter. It is made clear that though the development agreement may comprise of the proportionate share of the landowner and the promoter but it should basically be restricted from being sold to any person and the entire vacant land in the premises shall be used by all the allottees including the landowner without any hindrance to be caused by any of the allottee. In such a case, it seems pertinent to impose a restriction on the sale/ handing over of the possession of any part of the vacant land in the premises of the impugned project. A Restriction is therefore imposed on the sale of any vacant land in the project premises

Put up this case on 16.09.2026 for further hearing.

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