REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Mr. Ved Prakash,

Special Presiding Officer,

Exe. Case No- 291/2024

RERA/CC/370/2022

Sanjay Kumar Singh **……Executant(s)**

Vs

M/s Sadhvi Builders Pvt. Ltd. **……Respondent**

PROJECT: TERRACE GARDENIA

For the Complainant: Mr. Ranjeet Tiwari, Advocate

For the Respondent: Mr. Sumit Kumar, Advocate

17.08.2026 **PROCEEDING**

Learned Counsel, Shri Ranjeet Tiwari, along with the executant, and Learned Counsel, Shri Sumit Kumar, on behalf of the respondent promoter, are present.

2. Learned Counsel for the respondent submits that the promoter has already completed the project, and promoter Sri Sanjeev Kumar has submitted notice of completion as **Annexure- 2** the competent authority. Thereafter, a reminder letter dated 30.09.2024 was issued to the Commissioner, Patna Municipal Corporation, for the issuance of an occupancy certificate with respect to the project "Geeta Nutan Enclave," but the Learned Commissioner has not responded. Hence, the occupancy certificate will be

presumed to have been issued. He further submits that as per the order of the Hon'ble Member, the executant has to pay the remaining amount, including the GST amount, but the executant has not taken the pain to deposit the GST as required to be paid on consideration amount. He further submits that the GST amount of Rs. 3,96,000/- has to be deposited, and the executant has to show a document about a deposit the above amount so that the respondent may be in position to comply with the order as per direction of Hon'ble Member. He further submits that the executant had submitted on previous dates for conducting an inquiry by the RERA Technical Team, but as of yet, he has failed to deposit the fee of team visit Rs. 5,000/-. Hence, the project may be presumed to be incomplete, and the executant is willing to deposit the fee of RERA team visit.

3. On other hand, Learned Counsel for executant opposed the submissions of the Learned Counsel for respondent and submits that he will pursue the executant to deposit the fee for verification of the status of the project as it is still incomplete. He further submits that GST registration of the builder/promoter was cancelled on 12.09.2022. Hence, the amount paid by the executant to the respondent promoter has not been deposited in GST account. He further submitted though the sale deed is executed in favour of respondent, but still the project is incomplete and amenities are missing. He further submits that there is no question of deposit of GST as the same has been paid to the respondent, and now nothing is due for payment in account of GST by the executant to the respondent. Hence, coercive action against the respondent may be taken for non-compliance of the order passed by the Hon'ble Member.

4. Considering the submission as well as going through the record, it appears that on 06.05.2024, the Hon'ble Member, Smt. Nupur Banerjee, in RERA/CC/370/2022 has directed the respondent company to complete the project in all respect in accordance to the specification as per agreement

for sale, as per promise made in brochure, and as adhered in sanction map, and also complete the necessary legal formalities to said flat by issuing the possession letter in favour of complainant within 60 days of the order. It was further directed by the Hon'ble Member that after completion of all works as mentioned above, the respondent shall obtain occupancy certificate from the competent authority, and the copy of CC and OC shall be submitted to RERA and all the allottees. And further, the complainant was directed to pay due remaining amount including GST, if any, to the respondent. Both the parties have failed to produce documents regarding the payment of GST by the executant to the respondent.

5. Hence, the respondent is directed to:

   i. Show the current GST account.
   ii. Produce payment receipts of GST amount paid by the executant to the promoter.
   iii. Show completion certificate / occupancy certificate of the project as per directions of the Hon'ble Member.
   iv. Executant is directed to produce receipts of payment done towards the GST to the respondent promoter.

Put up on 15.09.2026 for further hearing.

Sd/-

(Ved Prakash)

Special Presiding Officer