

REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

RERA/CC/411/2024

Phuleshwari Devi

.....Complainant

Vs

M/s Raushan Brother Infrastructure Pvt. Ltd.

.....Respondent

Project: N/A

Present: For Complainant: Mr. Akash Deep, Advocate

For Respondent: Mr. Punit Kumar, Advocate

10/10/2025

ORDER

The matter was last heard on 17.09.2025 when Mr. Akash Deep, learned counsel had appeared on behalf of the complainant and Mr. Punit Kumar, learned counsel had appeared on behalf of the respondent.

The fact of this case is that the complainant is the landowner of the land bearing Khata No.124, Plot No.1690, Thana No.17, situated at Moh. Alkapuri, Mauza Chitkohra, Pargana and Survey Thana Phulwari, District Patna. The respondent is developing the project, namely, Sneh Homes Green City which is not registered with RERA and in the course of development of the said project the respondent has blocked the way/ path and access of the land of the complainant. The complainant further stated that she is aggrieved by the encroachment and blockage of the access of her land and the respondent is also trying to grab the aforesaid land and trying to merge it with existing ongoing project and has thus violated Section 3 of the RERA Act by marketing, advertising and taking booking in the said project without getting the project registered with the Authority. She further stated that she has personally met the respondent and requested him not to merge the abovementioned land with the project land without entering into a registered development agreement and without obtaining RERA registration certificate but the respondent paid no heed to the request of the complainant. Therefore, the complainant has filed this complaint case with a prayer to direct the respondent to clear the access of the complainant's land and also direct the promoter not to merge or grab the land belonging to the complainant with imposition of penalty on the respondent u/s 3 read with Section 59 of the RERA Act, 2016.

‘ The complainant has placed on record a copy of the sale deed dated 21.05.2008 of the land in question, a copy of the project sites and advertisement.

Perused the record. No reply has been filed on behalf of the respondent but in compliance of the order dated 17.09.2025, a written statement has been filed on behalf of the respondent on 06.10.2025 in which it is stated that the complainant entered into a development agreement with the Real Estate company, namely, M/s Raushan Brothers Infrastructure Pvt. Ltd. on 25.05.2025 which was registered on 27.05.2025 to develop 10 decimals land. He has further stated that the statement made in the complaint petition that the respondent has

encroached upon her land and the said project is not registered with RERA is a false and fabricated statement as the detail fact is that the developer is still in the process of procuring land in the area lying near the complainant's land and once the finalisation of the land is complete then the respondent would apply for approval of the map and registration with RERA and hence the allegation levelled against the respondent regarding advertisement is totally false and baseless. He has also stated that the claim of the complainant is unjust, improper and not sustainable in law and is fit to be dismissed. He has further stated that the complainant herself has filed a withdrawal application before this court.

The complainant has filed a withdrawal application along with an affidavit on 06.10.2025 stating therein that the complainant and the respondent have amicably settled their disputes and the respondent has entered into a development agreement vide Deed No. 8425 dated 27.05.2025 with the complainant for the disputed land in question, therefore, the respondent has not violated Section 3 of the RERA Act, 2016. She requested the Authority not to take any coercive action against the respondent promoter and also requested to direct the respondent to get the proposed project registered after approval of the project map. She prays to dismiss this case as withdrawn in the interest of justice.

. . Without going into the merits of the case in detail and considering that the complainant herself has filed a petition for withdrawal of this case on the ground that she has no grievance against the respondent promoter as the case has been settled amicably, this complaint petition is dismissed as withdrawn.

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