**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Bench of Special Presiding Officer,**
**Mr. Ved Prakash, RERA, Bihar**

**Exe. Case No.411/2024**
**RERA/CC/476/2023**

**Praveen Kumar Ranjan .....**
**Complainant(s)/Executant(s)**

**Vs**
**M/s Maa Tara Construction and Developers Pvt. Ltd.**
**…..Respondent**

**Project: PARAS NATH COMPLEX**

**For the Complainant: Mr. Ishtiyaque Hussain, Advocate**
**For the Respondent: Mr. Sumit Kumar, Advocate**

**23.06.2026** **PROCEEDING**

Learned Counsel Shri Ishtiyaque Hussain on behalf of the executant and learned counsel Shri Sumit Kumar on behalf of the respondent are present.

Learned counsel for the executant by filing a petition submits that the respondent-Company through its Director Mr. Suraj Kumar Singh have entered into a registered Agreement for Sale, vide Deed No.7230 dated 15.04.2021, wherein they agreed to complete the construction of the project, including Flat No.401 on 4$^{th}$ Floor having carpet area 1020 sq.ft. and super built-up area 1400 sq.ft. along with a car parking space on ground floor in the project, namely, Paras Nath Complex, situated at Mouza-Jalalpur, Pargana-Phulwari, P.S.-Danapur, present P.S.-Rupaspur, bearing Thana No.22, Khata No.174, Khesra No.384, Tauzi No.5778, District-Patna on consideration amount of Rs.61,00,000/-, including applicable taxes in which the executant has paid a sum of Rs.7015023.60, including Registry cost of Rs.6,10,000/-. He further submits that the respondent-Company in spite of repeated requests has failed to execute sale deed as per order dated 13.08.2024 passed by Hon'ble Authority in RERA/CC/476/2023. In spite of filing of the present execution case, the respondent has not executed sale deed with respect to Flat No.401 in the above project in favour of the executant in spite of a penalty of Rs.3000/- per pay levied against the promoter. Hence, it would be just and proper to direct Sub-

Registrar, Danapur Registry Office to pass an order for unilateral sale deed in favour of the executant Praveen Kumar Rajan in compliance of the order dated 13.08.2024 passed by Hon'ble Member Shri S.D.Jha in RERA/CC/476/2023.

Learned counsel on behalf of the respondent-promoter though opposed but submits that if the Bench/Authority thinks proper may pass appropriate order for unilateral sale deed in favour of the executant with respect to Flat No.401 in the above project.

Considering the submissions as well as going through the records, it appears that Hon'ble Member Shri S.D. Jha has directed on 13.08.2024 in RERA/CC/476/2023 to the respondent-Directors Mr. Amit Prakash and Mr.Suraj Kumar Singh to execute sale deed for Flat No.401 measuring 1020 sq.ft. along with a reserved car parking space in the project in favour of the complainant/executant within sixty days of the issuance of the order. But in spite of lapse of the statutory period and filing of the present execution case, the respondent has not taken pain to execute sale deed and deliver possession of the flat to the executant. Hence, the Bench has imposed penalty of Rs.3000/-per day on 11.11.2025 against the respondent-promoter for non-compliance and recovery certificate has also been issued against him to the learned Collector, Patna for recovery of the penalty amount, but once again the respondent having no regard of law has not executed the sale deed in favour of the executant. Hence, the Bench has no option but to direct unilateral sale deed with respect to Flat No.401 in the above project in light of the above order passed by Hon'ble Member Shri S.D.Jha.

Accordingly, in light of the provisions of Section 21 of the Bihar Apartment Ownership Act, 2006, the executant is directed to file an application before the Executive Officer, Nagar Parishad, Danapur for unilateral sale deed in favour of the executant with respect to Flat No.401 in the above project in light of the order dated 13.08.2024 passed by Hon'ble Member Shri S.D. Jha in RERA/CC/476/2023 and the learned Executive Magistrate after fully satisfied on payment of consideration amount and other relevant laws, may pass an order for unilateral sale deed in favour of the executant with respect to the above flat. Thereafter, the executant shall produce sale deed before the Sub-Registrar,

Danapur for registration of Flat No.401 having carpet area 1020 sq.ft. and super built-up area 1400 sq.ft. along with a reserved car parking space on ground floor in the project “Paras Nath Complex” and on presentation of the sale deed, the Sub-Registrar, Danapur shall register the said unilateral sale deed in favour of the executant.

Put up on 28.07.2026.

Sd/-
**(Ved Prakash)**
**Special Presiding Officer,**
**RERA, Bihar**