REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

RERA/CC/491/2025

Deepak Kumar .... Complainant

Versus

M/s Saakar Constructions Private Limited .... Respondent

Project: **SAAKAR'S AQUA CITY**

Present: For Complainant: Mr. Tarun Sagar, Advocate
For Respondent: None

08.07.2026 **PROCEEDING**

1. Hearing taken up. Learned counsel Mr. Tarun Sagar appears on behalf of the complainant. Nobody appears on behalf of the respondent.

2. Learned counsel for the complainant submits that he had booked Flat No. 5A-T11A (Type MINT 1185, 2.5 BHK) along with one car parking space in the project named 'Saakar's Aqua City'. The booking was followed by a registered agreement for sale dated 17.01.2020 for a total consideration amount of Rs.41,96,231/- out of which the complainant has paid total amount of Rs.38,46,030/- to the respondent. Thus, only a meagre amount of Rs.1,82,882- remains to be paid and the complainant is always ready to pay the same once the respondent shows his willingness to execute the sale deed in favour of the complainant but the complainant, to his utter surprise, all of a sudden, received a letter dated 02.09.2025 from the respondent containing false allegations and threats of cancellation of agreement for sale without any prior notice.

3. Learned counsel for the complainant submits that the complainant was taken aback by the said letter as he has now paid more than 90% of the total consideration amount and in such a case, if the said project is cancelled, the complainant will be put to an irreparable loss. He, therefore, requests for a restriction on the sale of the impugned booked flat to any other person except the complainant.

4. The respondent is absent. His view point could not be taken into account. However, on perusal of the record which consists of a registered agreement for sale executed between the Managing Director Mr. Sudip Kumar authenticated through power of attorney holder by Mr. Anand Kumar Sinha,

this Bench is of the view that the respondent had entered into an agreement for sale with the complainant through a valid registered agreement for sale and in such a case both the complainant as well as the respondent are bound by the terms and conditions of the said agreement as well as the provisions of the Real Estate (Regulation and Development) Act, 2016.

5. In such a case, acknowledging the request of learned counsel for the complainant wherein already more than 90% of the consideration amount has been paid to the respondent, this Bench imposes a restriction on the sale of Flat No. 5A-T11A (Type MINT 1185, 2.5 BHK) along with one car parking space in the project named 'Saakar's Aqua City' to any other person except the complainant.

6. IG. Registration, Bihar, Patna is requested to issue necessary instructions to the Sub-Registrar concerned for ensuring the compliance of the abovesaid directions.

7. Issue notice to the respondent to appear either in person or through his authorized representative on the next date of hearing.

Put up for hearing on 30.07.2026.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner
RERA, Bihar