

REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

RERA/CC/83/2024

Jeevan Sahay & Kavita Sahay

.....Complainant

Vs

M/s Kamini Developers Pvt. Ltd.

.....Respondent

Project: Bhagwan Niwas

**Present: For Complainant: Ms. Kriti Suman, Advocate
For Respondent: Mr. Amit Singh, Advocate**

08/04/2025

PROCEEDING

Hearing taken up. Ms. Kriti Suman, learned counsel appears on behalf of the complainant. Mr. Amit Singh, learned counsel appears on behalf of the respondent.

Learned counsel for the complainants (landowners) submits that the original development agreement, which was entered into and signed mutually by both the parties along with a declaration of division of the share, outlines that a total of 50% of the share of the concerned project Bhagwan Niwas will be handed over to either of the share holders. However, the entire project comprises of nine flats and hence, it was decided that a total of four flats will be given to the landowner by the developer and 50% of market value of the price of remaining flat (9th flat- 103) will be given to the landowner as per the actual sale of the said flat i.e. flat No.103.

She further submits that the said flat has been sold at a total price of Rs.73.00 lakh and hence, the landowner is entitled for a payment of Rs.36.50 lakh from the developer as per the above said agreement but the respondent has failed to pay the complainant the share as agreed upon and only a partial amount of Rs.9.00 lakh out of Rs.36.50 lakh has been paid by the respondent. The respondent has also violated the terms of the agreement entered into which is implicitly mentioned that he will not sell any flat unless the entire share pertaining to landowner is given to them. Even the possession certificate of the said flat has not been handed over to the landowner.

Learned counsel for the respondent requests for some more time to present his case. Time is granted.

Put up on 08.05.2025 for further hearing.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar