REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Bench of Mr. Ved Prakash,
Special Presiding Officer

RERA/CC/142/2025, 161/2025, 162/2025, 163/2025, 164/2025, 166/2025, 167/2025, 172/2025, 175/2025, 177/2025, 178/2025, 389/2025, 270/2025, 381/2025, 388/2025, 390/2025, 387/2025

Mira Sinha @ Mira Kumari Sinha, Mrs. Nutan Devi, Rakesh Kumar, Nirmala Kumari, Mrs. Rashmi, Sudhanshu Kumar, Mahendra Prasad Singh, Puja Kumari, Abhay Kumar Singh, Rajnish Kumar, Lina Kumari, Amresh Kumar, Rajesh Kumar, Kameshwar Singh, Rupam Kumari, Savitri Upadhyay, Ajay Kumar Pandey. ....Complainant(s)

Vs

M/s Soho Infrastructure Pvt. Ltd. ....Respondent
PROJECT- Soho Badrinarayan

For the complainant: Mr. Sumit Kumar (Adv.)
For the respondent : Mr. Rahul Srivastava (Adv.)

22.06.2026 **PROCEEDING**

Shri Sumit Kumar, learned counsel on behalf of complainant, Shri Rahul Srivastava, learned counsel on behalf of Insolvency Professional are present, but none is present on behalf of respondent promoter.

Learned counsel on behalf of complainant submit that order dated 12.09.2025 passed by Hon'ble Supreme Court in Civil Appeal no. 3826/2020 and other analogous cases does not restrain the promoter from handing over delivery of possession of flats and execution of sale deed, as the Hon'ble Supreme Court has held in para 15 (21) that RERA is a primary forum for redressal of home buyers' grievances and IBC is a forum of last resort, intended to secure revival and completion of viable project and not to serve as a debt recovery mechanism. Hence, since the promoter is absconding, the order for unilateral sale deed in favour of complainants may be passed, as they are ready to deposit the remaining consideration in the A/c as per direction of the Bench/Authority

On the other hand, learned counsel on behalf of Insolvency Professional submits that the payments of remaining consideration has to be made in the recognized A/c with information to Insolvency Professional, so that the money may not be misused.

Put up on 13.07.2026 for further hearing.

Sd/-
(Ved Prakash)
Special Presiding Officer