

REAL ESTATE REGULATORY AUTHORITY, BIHAR,

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

RERA/CC/498, 499, 500, 501, 502, 503, 504, 505, 506 & 507/2023

Kundan Kashyap/ Dr. Shambhu Nath/ Dr. Rupesh Kumar
Mishra/Ram Krishana Prasad/Abhishek Kumar/Nirmala
Choudhary/Ranjit Kumar Shrivastava/Gopi Nath Dubey/
Dr. Santosh Kumar & Dr. Anil Kumar Complainants

Vs.

M/s Shubh Sourya Developers LLP.Respondent

PROJECT: SUBH'S RADHIKA KUNJ 2 OR NIRMALA MANSION

For the Complainant: Mr.Punit Kumar, Advocate

For the Respondent: None

11.07.2025

PROCEEDING

Learned counsel Mr. Punit Kumar on behalf of the complainant is present but the respondent is absent.

Learned counsel for the complainant submits that the above project is lapsed one as the respondent has not taken interest to complete it and now without any reason he has been absconding. He further submits that photo copies of the building filed by him are available on the record, which will show that the structure of the building is complete but thereafter it has been left in abandoned position. So, appropriate steps may be taken against the respondent including issuing of notice against him through the police and further for carrying out the remaining development work of the project under Section 8 of the RERA Act, 2016 may be taken.

Considering the submission as well as going through the record, it appears that in spite of repeated notice the respondent has not taken pain to appear either before the Conciliation Forum or the Authority/Bench. So, issue notice against the respondent through the Senior Superintendent of Police, Patna and Gaya to be

served through the SHO of the concerned local police station on the address mentioned in the complaint petition.

The project named above was registered with the Authority and its registration was valid upto 06.05.2021 including Corona period. Hence, admittedly the project is lapsed one, but, as submitted by learned counsel, the promoter has been absconding keeping the building in abandoned position. In such circumstances, the right of the respondent – promoter has ceased to exist and he has no right to transfer the title of the project to any prospective buyer. Now, the Authority may take action into the matter for carrying out the remaining development work of the project as provided under Section 8 of the RERA Act, 2016. Hence, the first right to carrying out the remaining work of the project accrues to the Association of allottees. So, the respondent is directed to provide list of allottees in order to initiate the process of completing of remaining development work of the project.

Put up on 03.09.2025 for further hearing.

Sd/-

(Ved Prakash)

Special Presiding Officer