

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Bench of**

**Hon'ble Member Mr. S. D. Jha, RERA, Bihar,**

**RERA/CC/113/2023**

**Mr. Kuldeep Kumar & 3 Others ..... Complainant**

**Vs.**

**M/s Sai Ashirwad Construction Pvt. Ltd. .... Respondent**

**For the complainant: None**

**For the Respondent: Mr. Sharad Shekhar, Advocate**

**Project:- SAI MAHADEV ENCLAVE**

**PROCEEDING**

**01.08.2024** Hearing taken up. The complainant is absent. Mr. Sharad Shekhar, Advocate, appears for the respondent.

Learned counsel for the respondent states , inter alia, in his counter reply dated 14.12.2023 that this case is not maintainable because the complainant is neither allottee nor promoter. He further submits that the injunction petition filed in the Title Suit no.233 of 2033 pending before the Civil Court, Patna, has been rejected and 144 Cr.P.C. proceeding pending before the S.D.O. has been dropped. He further submits that he has nothing to further submit and he requests that order may be passed in this case on the basis of material available on the record.

Vide proceeding dated 11.01.2024 the Administrative Wing was directed to examine and submit the report on the basis of material available on the record for further action but the report has not been sent. Send a copy to this order to the Administrative Wing to submit the required report within two weeks.

The complainant is directed to file rejoinder to the counter reply dated 14.12.2023, if any, within a week, failing which it would be presumed that he has nothing to say in this

matter and an order would be passed on the basis of material available on the record.

Order is reserved.

**Sd/-**  
**S.D. Jha,**  
**Member**