

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Bench of**

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

**RERA/CC/299/2023**

Anil Kumar and 2 others ..... Complainant

Vs.

M/s Majestic Constructions and Developers Pvt. Ltd. ....Respondent

For the complainants: Mr. Sumit Kumar, Advocate

For the Respondent: Mr. Punit Kumar, Advocate.

**Project:- MAJESTIC JANKI CITY**

**PROCEEDING**

**21.06.2024** Hearing taken up. Mr. Sumit Kumar, Advocate, appears for the complainants. Mr. Punit Kumar, Advocate, appears for the respondent.

Learned counsel for the complainants – landowners submits that the complainants request for handing over possession of six flats of their share in Block – F and additional allotment of 2566.98 sq. ft. of the constructed area in all the Blocks as per their share.

Learned counsel for the respondent submits that the respondent – promoter is ready to hand over possession of six flats of the share of the complainant in Block – F, subject to payment of GST amount, for which the respondent has already sent legal notice to the complainants but till date that has not been responded by them. By referring share division letters, which are annexed with the supplementary reply dated 31.05.2024, he further submits that the complainants while taking possession of flats of their share in other Blocks did not raise the question of additional area of 2566.98 sq. ft. and had accepted without any claim. The demand of additional area of 2566.98 sq. ft. in the said case is nothing but to avoid payment of GST amount.

Learned counsel for the complainant submits that the complainants are ready to make payment of GST amount if notices are received by them from the Department of Revenue to make payment of GST. If the respondent - promoter wants he may implead the complainants as party respondents to the case pending before the Tribunal hearing the GST case of the said project. By referring Rule 4(3) of the RERA Rules, 2017, he also submits that the promoter is bound to disclose the size of the apartment based on carpet area and, therefore, he requests that the respondent – promoter may be directed to disclose size of the apartment based on the carpet area. He also submits that the respondent has not filed reply to his petition dated 05.03.2024 under Rule 4(3) of the RERA Rules, 2017, to which learned counsel for the respondent requests for one week's time, which is allowed.

The respondent is directed to file counter reply to the rejoinder dated 05.03.2024 within a week with a copy to the complainant's counsel, who will file supplementary rejoinder, if any, within a week thereafter.

With the mutual consent, the order is reserved.

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