

REAL ESTATE REGULATORY AUTHORITY, BIHAR

IN THE COURT OF SRI ANIMESH PANDEY,
SECRETARY, RERA, BIHAR

RERA/STV/12/2026

Authorised Representative ... Complainant
Vs.
Rabindra Nath & Raghuvendra Nath Mishra ... Respondents

PROJECT: PLOT

ORDER

03.08.2026 This case is taken up for hearing. The learned Authorized Representative, Mr. Rishikesh Rajan is present. The learned counsel on behalf of the respondents, Mr. Mayank Rukhaiyar is also present.

The learned counsel for the respondents submits that in the instant case the proceedings have been initiated on the basis of physical inspection conducted jointly by the Technical Team of RERA and the District Administration, Darbhanga, behind the back of the respondents. He further submits that the complainant has not brought any such material on the record to suggest that the respondents had acted at any point of time as a promoter or had carried out any development work over the plot/land. He further submits that the land in question is the ancestral holdings of the respondents and their co-agnates. The different portions thereof were sold by them to the independent buyers through different registered sale deeds from time to time to meet their pressing needs and necessities without any advertisement. The photo-copies of some of the sale deeds, which have been annexed as annexure –WS/3 series to the reply, clearly speak that the respondents never advertised/marketed and undertook development activities over the land, rather shows that they sold their land in their individual capacity to the independent buyer(s).

The learned authorized representative agrees with the aforesaid submission of the respondents and submits that the documents brought on the record by the respondents show that the land in question is their ancestral holdings, which finds support with the description of details

of the property mentioned in all the sale deeds annexed with the reply. He also submits that the sale deeds further show that the respondents sold their land in individual capacity.

Having heard learned counsels for the parties and perused the records, the Bench observes that the land in question is the ancestral property of the respondents and they sold their land in an individual capacity. The Bench also observes that they did not act at any point of time as a promoter or developer while selling their land to the individual buyer(s). Hence, the Bench holds that no case is made out against the respondents for violation of the provisions of Section 3 of the Real Estate (Regulation and Development) Act, 2016, and, accordingly, the instant case is dismissed.

With the aforesaid observations, this case is disposed of.

Sd/-
(Animesh Pandey)
Secretary,
RERA, Bihar.