



REAL ESTATE REGULATORY AUTHORITY, BIHAR

3rd, 4th & 6th FLOOR, BIHAR STATE BUILDING CONSTRUCTION CORPORATION
LIMITED COMPLEX, SHASTRI NAGAR, PATNA-800023.

IN THE COURT OF ADJUDICATING OFFICER, RERA, BIHAR.

Case No. RERA/SM/546/2022

Authorised Representative of RERA Complainant

Vs.

M/s Kosut Builder & Developers Pvt. Ltd. Respondent

Project: KAUSHALYA KAILASH COMPLEX

PROCEEDING

23/09/2024

Hearing taken up. Mr. Abhinay Priyadarshi, learned Legal Representative appears for the complainant and Mr. Sharad Shekhar, learned counsel appears for the respondent.

Learned counsel for the respondent submits that there are two projects belonging to the respondent, namely 'Kaushalya Kailash Complex' which is registered with the Authority and 'Krishna Kosut Complex' against which this suo-moto proceeding has been initiated. He further submits that 'Krishna Kosut Complex' project has not been registered because the same does not come under the ambit of the RERA Act, 2016. To substantiate his submission, he has brought on record the Development Agreement wherein at page-13 it is mentioned that the said project Krishna Kousut Complex measures around 2 katha 8 dhurs i.e. 7.5 decimals. He has further placed on record the sanctioned map issued by the Patna Municipal Corporation with Plan Case No.169/2016.

The learned Legal Representative for the Authority submits that the show-cause notice dated 01.08.2022 was issued under sections 35 and 59 of the RERA Act for the project 'Krishna Kosut Complex' and not for project 'Kaushalya Kailash Complex'.

Hence, the Technical Wing of the Authority is directed to submit a fresh report for the project 'Krishna Kosut Complex' considering the aforesaid documents available on record at the cost of the respondent.

The respondent is directed to deposit the fees for the fresh site inspection within two weeks, failing which the report submitted by the Technical Wing shall not be accepted.

Put up for hearing on 15.10.2024.

Sd/-
(Ambrish Kumar Tiwari)
Adjudicating Officer