REAL ESTATEREGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mrs. Nupur Banerjee

Case No.CC/1068/2021

Nand Kishore Sharan ……...Complainant

Vs

M/s Sudami Homes Pvt. Ltd. ……Respondent

Project: Aruna Kunj

Present: For Complainant: Mr. Jai Ram Singh, Advocate

For Respondent : Mr. A.K. Sinha, Advocate

20/09/2022 PROCEEDING

Hearing taken up. Both the parties are present through their respective learned counsel.

Learned counsel for the complainant submits that he wants revocation of registration granted to respondent. He further submits that the development agreement was first made by complainant with the land owner but landowner has made agreement with other person. The respondent has taken registration on false presentation. He prays an interim order for restraining the respondent for not to sell any flat.

Learned counsel for the respondent submits that the development agreement of the complainant due to non discharge of obligation as stated in agreement stood cancelled. For construction of the work, the time was stipulated but complainant had not done any work even not passed the map from the competent authority. He further submits that four legal notices were sent by the land owner but the complainant neither responded nor acted to discharge their contractual obligations. So far as the promoter i.e. present respondent is concerned, that was agreement between the land owner and the promoter. He did not comply with the terms of the contract. The building is already complete.

Learned counsel for the complainant submits that he has given the reply of all the legal notices.

The Bench directs office to verify whether, notice was issued to land owner or not. If not, then issue notice to the land owner.

Keeping in view of the aforesaid facts and submissions made by the parties, the present case is transferred to registration wing to examine each and every aspect of the matter and take appropriate decision expeditiously in view of the allegations levelled. Landowner is also directed to submit their reply or submissions after the receiving of notice within two week, so that, registration wing will note their submissions and stand also.

List this matter after report of the Registration Wing.

Sd/-
Nupur Banerjee
Member