REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Mr. R.B. Sinha,Hon'ble Member

Case No.CC/380/2019

SamodPandit.....Complainant

Vs.

M/s SaiSampann Infra L.L.P.....Respondent

Present: For Complainant: Mr. Om Prakash, Advocate
For Respondent: Mr. RakeshRoshan, Advocate

12/01/2021 **PROCEEDING THROUGH VIDEO CONFERENCING**

Hearing taken up through virtual court. Mr. Om Prakash, learned counsel of the complainant is present and Mr. RakeshRoshan, learned counsel of the respondent is also present.

The complainant counsel submits that the development agreement was executed by the developer notwithstanding the fact that title suit was pending before civil court. The basic issue involved in that the property is a joint property on the day when the development agreement was executed.

The learned counsel of the respondent submits that the said title suit had been filed by the respondent only and there was no dispute on the plot of land on which the project was being developed, to which the complainant also agreed. He therefore claimed that complaint petition is not maintainable before RERA, and hence the complaint petition is fit to be dismissed.

After hearing both the parties, the Bench observed that RERA does not have any role to play in the aforesaid matter. The Bench further directedboth parties to file their final written brief on an affidavit by 1st February 2021.

Put up for 01/02/2021

R.B. Sinha
Member

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