

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Single Bench of Mrs. Nupur Banerjee**

**Execution Case No.102/2020, 103/2020**

**Anil Kumar/ Leela Devi .....Complainants**

**Vs**

**M/s Lakhan Homes Ltd. ....Respondent**

**Present: For Complainant: Mr. Sumit Kumar, Advocate**

**For Respondent: Mr.**

**26/08/2022**

**PROCEEDING**

Hearing taken up. Both the parties are present.

Learned counsel for the landowner submits that the land owner has received a notice from the RERA, so he has appeared on his behalf. The land owner has never been made party. The execution case is just to enforce the order passed in the complaint. This order is not binding on him. This is share distribution dated 18<sup>th</sup> February, 2018. Before share distribution, the builder cannot sell any flat. There is no order against the land owner. We have not taken a single farthing. He has filed Vakalatnama today. He prays to serve a copy of the complaint petition as well as execution petition. He further submits that the RERA should not issue notice to the land owner.

Learned counsel for the complainant submits that the land owner is creating hindrance. The complainant's shop has been closed. The project is incomplete. He prays for time to file rejoinder to the submissions made by land owner. He further submits that under Order 21, Rule 97, notice can be issued and called who is creating hindrance in executing the order.

The Bench heard the submissions of the parties and as prayed by learned counsel appearing on behalf of landowner, the complainant is directed to serve all the documents to him.

Both the parties submit their response addressing the submissions and issue raised, before the next date of hearing.

Put up for hearing on 30.09.2022.

Sd/-

Nupur Banerjee  
Member