

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mrs. Nupur Banerjee

Case No. CC/1758/2020

Nityanand Singh **Complainant**

Vs

M/s Astik Dream Valley Pvt. Ltd. **Respondent**

Project: Sai Chandan Palace

Present: For Complainant: Mr. Rajesh Kumar Singh, Advocate

For Respondent : Mr. Manoj Kumar Singh, Advocate

29/08/2022

PROCEEDING

Hearing taken up. Both the parties are present.

Learned counsel for the complainant submits that the complainant is the landlord. The respondent was directed to file an affidavit under section 4(2)(1)(b) of the Act but they have not filed any affidavit. The complaint is that under section 4(2)(1)(b) of the Act, it is mandatory obligation cast upon the company developer to submit information whether any encumbrance associated with the land or not. The proceeding is going on. Mutation has been made in his favor. It is not known how registration is taken place without encumbrance information given. It is on the investor risk. The project is now going to be sold out. They have done fraud with the complainant. The land of the project belongs to him but the builder has not made any agreement with him. The land does not belong to the brother from which the builder has made development agreement. They have not disclosed the encumbrance on land.

Learned counsel for the respondent submits that those with whom an agreement was made have their own land. Verification has been made. All the documents are in his name. He submits that the work is going on.

The respondent is directed to file an affidavit as per earlier direction within a week.

The Bench requests registration wing that after filing of the affidavit submit the report as per last hearing direction.

Put up for hearing on 13.10.2022.

Sd/-

Nupur Banerjee
Member