REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Hon'ble Inquiry Commissioner, Mr.Sanjaya Kumar Singh, RERA, Bihar

RERA/CC/310/2024

Abhinay Kumar Rai …...Complainant

Vs

M/s Nesh India Pvt. Ltd. (ShashiBhushan Sinha) …..Respondent

Project: Tiruvantpuram City, A.G. F1

Present: For Complainant: In person
For Respondent: Mr.Sahil Kumar, Advocate

16/04/2026 **O R D E R**

The matter was last heard on 29.10.2025 when the complainant appeared in person and Mr.Sahil Kumar, learned counsel appeared on behalf of the respondent.

The complainant has submitted that the complainant has purchased Flat No.601 in Block F-1 of the above project of the respondent with one covered car parking space for which the complainant has paid the total consideration amount but till date, the respondent has failed to deliver possession of the covered car parking space. The complainant by filing an absolute sale deed of the flat executed on 28.03.2018 submitted that the statement made therein by the respondent that the car parking space has been provided to the complainant is totally false and misleading. He submitted that Para 3(iii) of the registered sale deed of the said flat executed in his favour by the respondent clearly mentions that the total consideration amount of the said flat was fixed with one covered reserved car parking space, thereby making it clear that the respondent was to handover a covered car parking space to the complainant pertaining to his flat, which has not been done. He submitted that only an open space near internal road of the apartment has been given to him mentioning the same as car parking space pertaining to his flat. The said space so allotted is not at all suitable for parking of a vehicle as it is an open driveway and not a covered car parking space as committed in the sale deed. He, therefore, prayed for a direction to the respondent to allot him a covered car parking space as agreed upon by the respondent in the executed sale deed.

Learned counsel for the respondent has filed a written note of argument in which he has stated that as per the suggestion of the owners, the parking space was agreed to be allotted by lottery system and from the said lottery, the complainant has got the parking space no.12 which was duly acknowledged by him but the complainant was not satisfied with the said allotted parking space and as such, the respondent has reallocated the parking space to the complainant with covered parking space No.F1-12 in the basement in the said block with respect to Flat No.601, Block F-1 which has already been communicated to the complainant on 08.11.2025 through e-mail.

He therefore submitted that the grievance of the complainant has already been redressed and hence, this case may be dropped.

On perusal of the record of this case and after considering the submissions of both the parties, it is clear that an absolute sale deed has been executed in favour of the complainant by the respondent company M/s Nesh India Infrastructure Pvt. Ltd. through its Managing Director Mr.ShashiBhushan Sinha. In the said executed sale deed it has been explicitly stated in paragraph-5 under the head 'Description of the property conveyed' that a covered car parking space pertaining to Flat No.F1/F-21 has been allocated to the complainant (vendee/ buyer) in the impugned project named "Tiruvantpuram City (A.G.)". On perusal of the said sale deed, it is also clear that a separate amount of Rs.90,000/- has been collected from the complainant by the respondent for providing a covered reserved car parking space. On perusal of the written notes of argument filed by the learned counsel for the respondent, it has been observed that a copy of reallocation of parking allotment letter dated 08.11.2025 has been communicated to the complainant on 08.11.2025 through e-mail, the details of which has been given in Annexure-1 of the above said written notes of argument. Though it has not been confirmed by the complainant in writing regarding allocation of the car parking space, yet on perusal of the written notes of argument filed by the respondent and a parking allotment letter issued on 08.11.2025 it appears that a separate car parking space has been allocated to the complainant, thereby redressing his issues raised in his complaint petition.

This Bench, therefore, after observing that the issue regarding non-allocation of car parking space has been resolved by the respondent and does not exist anymore, considers this case fit to be dropped.

This case is accordingly disposed of with a direction to the respondent that in case there is any dispute in reallocated car parking space, it shall be the responsibility of the respondent to rectify the same within a period of 30 days from today.

Sd/-
(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar