

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before The Bench of Mr. R.B. Sinha & Mr S.K. Sinha, Members, RERA,Bihar.

Complaint Case No:- CC/16/2018

Manendra kumar Sinha.....Complainant

Vs

M/s Gharaunda Construction Pvt. Ltd & Ors.....Respondent

Present : For the Complainant: In Person

Mr. Sachidanand Prasad, Advocate

For the Respondent: None

03.03.2020

INTERIM ORDER

The complainant is present along with his Learned Counsel. Today also, no one has appeared on behalf of the respondent company.

After filing of the aforesaid complaint, the Authority has issued several notices to the respondent company and their directors on 08/01/2019, 01/02/2019, 21/10/2019 and 04/02/2020 with direction to appear personally on next date of hearing.

That till today 17 hearings has been taken up by this Bench, but out of 17 hearings, the MD/Directors of the respondent company has appeared only on two occasions dated 27/02/2019 & 14/03/2019 and thereafter, no authorised representative of the respondent company has appeared in this case till today.

That on 02/05/2019, 07/05/2019, 06/09/2019 and 21/10/2019 the respondent company has been imposed with a cost of Rs. 10000/-, Rs.30000/-, Rs.10000/- and Rs. 20000/- consecutively for their continuous non appearance and with further direction to the respondent company to appear before this Bench on next date of hearing.

The Bench also directed the complainant to file petition stating the names of other promoters of the project along with additional information regarding assets of the directors of the respondent company. As directed, the complainant has filed petition dated 08/02/2019 and 08/05/2019 stating the details of the assets and name of the other directors of the respondent company.

Besides issuance of notice and various orders passed by the Bench, the order/direction of the Bench has not been complied with nor has the respondent company appeared. In view of the aforesaid facts, circumstances and keeping in view the approach of the respondent company, the Bench deems it appropriate and necessary for issue of interim order under Section 36 to be read along with Section 34 (f) & Section 37 of the Real Estate (Regulation & Development) Act, 2016.

It is therefore, directed that until further order, all bank accounts of **M/s Gharaunda Construction Pvt. Ltd** (SIN:- U45200BR2014PTC022056) and their three directors **(i) Mr. Chandra Shekhar, (ii) Mr Shashi Shekhar** (DIN:- 06801116) and **(iii) Smt. Gita Devi** (DIN :-06801235), having their account no.4911904228 in Kotak Mahindra Bank, Exhibition Road, Patna (IFSC: KKBK0005652) and any other account in any other Bank shall be frozen with immediate effect. IG Registration is also be requested to issue directions to all DSRs/Sub-Registrars of Patna District not to register any apartment/plot of **M/s Gharaunda Construction Pvt. Ltd** having their registered office at F/656 PC Colony, Kankarbagh, Patna-800020 and below mentioned property till further order.

It is further directed to Mr. Shashi Shekhar , Director of the respondent company not to alienate his immovable property **“Raghuvir Villa, Opposite F-656, PO- Lohiya Nagar, PS- Kankarbagh, Kankarbagh Colony, Patna-20”**, as it has been kept under the lean of RERA, Bihar till further order.

Registrar of Companies (ROC), Patna is requested to provide necessary detail like PAN, Bank Account, DIN , Aadhaar and other relevant details of the aforesaid company and their three directors within two weeks, so that the Authority may take necessary action against the respondent company.

The Sr. Superintendent of Police, Patna, has been directed to compel the attendance of three aforesaid directors of the respondent company on next date of hearing.

Let a copy of this order be forwarded to concerned State Level Bankers Committee, LHO, Gandhi Maidan, Patna and kotak Mahindra Bank, Exhibition Road, Patna for taking necessary action.

Let this order be communicated to **M/s Gharaunda Construction Pvt. Ltd** having its office at G-01, Ashirwad Appartment, Behind Jamuna Apartment, Boring Road, Patna-800013 (Email ID:- cabiratsingh@hotmail.com)

OSD has been directed to communicate this order to all concerned within a week and upload a copy of this order on the Authority's website.

Let the next date of hearing be fixed on 22.04.2020.

Sd/-

Member

Sd/-

Member