

**REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR**  
**Before the Single Bench of Mr. Naveen Verma, Chairman**  
**Case Nos. RERA/CC/884/2021**

Shakuntala Agarwal.....Complainant

v.

Dharmendra Shashi Construction Pvt. Ltd.....Respondent

**Present: For Complainant: Mr. Lokesh, Advocate**  
**For Respondent: None**

**ORDER**

**29-11-2021**            The matter was last heard on 15-11-2021.

In this matter the complainant has prayed for demolition of construction over the land in question; to stop further construction and restrain the respondent company from making any agreement for allotment to any person.

The complainant, aged about 89 years has submitted that she purchased the plot by sale deed no-4706 dated 16th July 1990 from Smt. Roshan Devi; thereafter she applied for mutation of said land vide Case No 657/92-93 which was allowed on 30.06.1992 and a jamabandi no.1088 was created in favour of the complainant and the complainant had been paying rent to State of Bihar till 2010-11. Complainant further submitted that the D.C.L.R, Danapur passed an order dated 21.07.2010 against the complainant thereafter which civil writ bearing C.W.J.C No. 17647 of 2010 was preferred against the order of D.C.L.R. before Hon'ble Patna High Court. The Hon'ble Court was however, pleased to grant stay order and remanded the matter to Bihar Land Tribunal. It was further submitted by the complainant that the respondent company ignored the stay order passed by Hon'ble Patna High Court and started construction over the land. It was further submitted that Bihar Land Tribunal passed the order dated 23.08.2017 holding that D.C.L.R. has no right to review the order of his predecessor which was passed after 23 years back.

It has been alleged that by suppressing the fact before the competent authority, the respondent company succeeded in obtaining the approved map from the Patna Municipal Corporation which is totally violation of Act as well as of municipal laws.

Perused the records of the case. There is no appearance on behalf of the respondent company even after issuance of notice to them.

During the last hearing, the learned counsel for the complainant informed the Bench that the registration granted to the respondent company with respect to the project being constructed on the said land be revoked as the construction is illegal.

The Bench observes that the prayer of the complainant is not maintainable under Section 31 of the Act but pertains to revocation of registration u/s 7 of the Act granted to the respondent company.

The allegation against the respondent company of doing illegal construction and suppressing facts for obtaining approval of map has been obtained may be referred to the concerned competent authority.

The Bench directs the Registration Wing to issue notice u/s 7 of the Act to the respondent company to show cause as to why the registration granted not be revoked.

With these directions, the matter stands disposed of.

**Sd/-**  
**Naveen Verma**  
**Chairman**