

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mrs. Nupur Banerjee

Case No. CC/361/2019

Intervention Application No.1/2022

Smt. Pushpa **Intervener**
M/s Vision Land Pvt. Ltd. **Respondent**
Vs

Project: Vision Glaxy, Polaris, Titanium

For Intervener : Mr. Nikhil Agarwal, Advocate

For Respondent : Mr. Navnit Tiwary, Advocate

29/07/2022

ORDER

The matter was last heard on 14-07-2022.

The matter was heard in compliance to order passed by the Hon'ble Real Estate Appellate Tribunal; vide order dated 07-04-2022, passed in REAT Appeal No.14/2022.

The present intervention application has been filed on 17-01-2022, seeking relief to allow the respondent to execute the registered sale deed in favor of intervener namely Smt. Pushpa who had purchased a land from respondent company.

During the course of hearing on 04-07-2022, Smt. Pushpa, Intervener in complaint case no. RERA/CC/361/2019 has submitted that intervener has purchased the land from the builder. Several cases were filed against the respondent company in which an interim order was passed by the Authority and through which the Registry office, Danapur and Phulwari Sharif was directed not to register any apartment or any other plot of this project or of the respondent company. The learned counsel for the intervener further submitted that the intervener has paid Rs.25 lakh and when the intervener proceed for execution of registration deed then she got to know by the respondent that an interim order in 2021 was passed by the Authority directing the registry office of Patna, Phulwari Sarif and Danapur to not to register any apartment or plot of the project Polaris and any other project of the respondent company. He further submitted that moreover, he is not concerned with the project upon which ban for registry is made.

Learned counsel for respondent was present and has not made any submissions in respect to this application and challenged the submissions of Intervener.

During the course of hearing on 14-07-2022, learned counsel for the intervener, Smt. Pushpa has submitted that he has filed an application for intervention. The present matter pertains to possession of a piece of land. After purchase of the said land intervener wants registration of the said land but respondent informed that there is an interim order against the builder that none of the plots and none of the apartments should be registered. They were doing a construction in particular project. They were unable to handover the possession. The interim order was passed on 13.11.2020. He paid Rs.25 lakh. Subsequently intervener wants registry of plot. The respondent informed that they received a memo from the learned Authority that an interim order has been passed against them and they want to register the plot in her name. He submitted that the land which he has purchased has no relation with the project. So, complainant needs permission to register the plot.

The intervener has placed on record, copy of interim order dated 13-11-2020 and Bank Account Statement of Indian Bank.

Having heard the submissions and considering the documents placed, the Bench observes that as the complainant has paid the amount of Rs.25 lakh in respect to plot booked and the plot does not relate to the project namely vision Glaxy, Polaris, Titanium and considering the interest of allottees, the Bench directs office to write letter to concern Sub-Registrar of the registry office to execute the Sale Deed of plot of intervener namely Smt. Pushpa.

The intervener is further directed to submit a copy of allotment letter of plot and Agreement for Sale executed between the parties before the office and upon the submissions of same, office will write letter to concern registry office.

With these directions and observations, this Intervention Application is disposed of.

Sd/-
Nupur Banerjee
Member