

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Mr. Naveen Verma, Hon'ble Chairman

Case No. CC/1736/2020

Gyan Kaushik, Partner at Sri Krishna Homes.....Complainant

Vs

Ram Ishwar Rai.....Respondent

Project: Ram Ishwar Tower

ORDER

01/07/2022

Hearing Taken Up.

Learned counsel, Sri D.K. Roy mentions about the review petition filed on 12th May, 2022 in respect of the order passed in RERA CC No. 1736/2020. He mentions that a number of review cases have been filed which have not been taken up for hearing.

This matter has been considered by the Authority. The Real Estate (Regulation and Amendment) Act, 2016 provides for only rectification of the orders in case there are apparent error on the face of record as mentioned in section 39 of the RERA, Act. The power of review of the orders passed by the Authority has not been conferred upon it by the Statute. However, in the Regulation of the Authority in 2021 there is mention of review of the order.

The Authority has observed that the Regulations cannot exceed the powers given to it by law and therefore, the Regulation is being accordingly amended. Hence, all the orders of review may be disposed of with this note and the petitioner of review petition may be informed accordingly.

In so far as the matters pertaining to rectification of the order passed by the Authority under section 39 of the RERA, Act are concerned, the learned counsels may raise these matters separately termed as rectification petition. It may be noted that there will be no substantive change in the order except rectification of errors on the face of the record.

List such matters for rectification before the Bench which had passed the order.

Sd/-

**Naveen Verma
Chairman**