

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Mr. Naveen Verma, Chairman

RERA/CC/357/2019

Shashe Alam KhaComplainant

Vs

M/s Tricolour Properties Pvt. Ltd.Respondent

Project: Imperial Park

ORDER

17.08.2022

The case of the complainant case is that the respondent company has illegally captured land for establishing a township and selling the same in their village Panchayat. He further submitted that respondent company is also selling the acquired land and that they have made over booking, leading to clashes and due to such act of respondent, his Panchayat name is tarnishing. Hence, this complaint is filed seeking relief to stop registration on over booking.

The respondent has filed their submissions stating therein that complainant is not an allottee and has filed this complaint to harass them . It has also been submitted that this complainant is filed because respondent has not paid the amount as demanded by the complainant for plot permit approval certificate. It has been further submitted that respondent has filed an application for registration before the Authority bearing Application Id: RERAP189201800864-4.

The Bench notes that despite issue of notice to both the parties, no one has appeared during the last two hearings; hence, the order is being passed on the basis of documents available on record.

The Authority has examined the issue regarding registration of the project Imperial Park of Tricolour Properties Pvt. Ltd. This project was registered on 20/09/2019, and date of completion was 10/09/2021. Due to COVID 19 and the resultant force majeure, the promoter has got nine months extension up to 10/06/2022. Quarterly Progress Reports have been uploaded by the promoter. The promoter has sent an application for extension of registration.

The Bench observes that present case filed by the complainant is not maintainable under RERA Act, 2016 as the complainant is neither a promoter nor an allottee or an agent. A third party cannot file any matter under Section 31 of the RERA Act, 2016 unless they are linked to the project. The complainant is at liberty to approach the appropriate forum for redressal of his grievances.

With these directions and observations, the matter is disposed of.

Sd/-

Naveen Verma
Chairman