

**REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR**  
**Before the Single Bench of Mr. Naveen Verma, Chairman**

**Case No. RERA/CC/617/2021**

Sushma Sinha ..... Complainant

Vs.

M/s Raj Construction Pvt. Ltd. ....Respondent

**Project: Raj Complex**

**Present: For Complainant: Mr. Sumeet Singh, Advocate**  
**For Respondent : Mr. Sharad Shekhar, Advocate**

**HEARING THROUGH VIDEO CONFERENCING**

**ORDER**

21.10.2021: The matter was last heard on 17.9.2021. The learned counsel for both parties are present.

The Bench noted that on the last date the Registration Wing was requested to examine about the two registration certificates which have been granted for the same plot. It was subsequently clarified by the Registration Wing that one project is commercial and the other is residential for the same khata number and the plots.

The ld. counsel of the complainant raised a question on how such a big complex is being constructed on a small piece of land. A supplementary petition has been filed by the complainant on 20.10.2021.

The ld. counsel of the respondent initially requested for time for filing response to supplementary petition. The ld. counsel of the respondent also submitted that the issue of share of apartments from the

Development Agreement has already been raised before the Adjudicating Officer and is not maintainable before the Authority.

The Bench requested the Id. Counsel of the complainant to clarify whether the present case has been filed for taking action under Section 7 of the Real Estate (Regulation and Development) Act, 2016 for revocation/suspension of the project or as a complaint case for seeking adequate number of apartments. It was clarified on behalf of the complainant that the present case is for revocation of the registration given by the Authority for the project.

The Bench noted that Section 7 (1) (b) of the Act provides that the Authority may on receipt of the complaint revoke the registration after having been satisfied that the promoter violates any of the terms and conditions of the approval given by the competent authority. The present case is not a complaint case under Section 31 of the Act. This matter is therefore, transferred to the Registration Wing for issuing notice to the promoter under Section 7 (2) of the Act.

The Registration Wing will take all the documents filed by the complainant on record, while proceeding further in the matter.

With this direction the present case is disposed of.

Sd/-  
**(Naveen Verma)**  
Chairman