

**REAL ESTATE REGULATORY AUTHORITY (RERA), BIHAR**

**Before Mr R.B.Sinha & Mr S.K. Sinha, Members of the Authority**

**Complaint Case Nos. CC/102/2018, CC/105/2018, CC/106/2018,  
CC/114/2018, CC/124/2018, CC/152/2018 & CC/222/2019.**

**Renu Singh/Sambhavi Shandilya/RK David/Rashmi Singh/Deepak  
Kumar/Siddharth Singh/Sarla**

**Devi.....Complainant/s**

**Vs**

**M/s Utkarsh Infra Construction Pvt. Ltd.....Respondent/s**

**20/11/2019**

**INTERIM ORDER**

The two petitioners ( Mrs Rashmi Singh & Mr Vikash Kumar) in the aforesaid case against M/s Utkarsh Infra Construction Pvt Ltd and their directors have filed a petition stating that Respondent No.1 through Managing Director Mrs Alpana Kumar, in gross violation of the commitment made to the Real Estate Regulatory Authority (RERA) Court and virtually absconding from the law, has registered one of the flats of the project “Kedar Palace” situated at Karorichak, Beur, Phulwari Sharif surreptitiously recently, without completing the construction of the building, meeting their liabilities, obtaining completion certificate and occupancy certificate from the competent authority in gross violation of the Real Estate (Regulation and Development) act 2016 . They have requested the Court to hear as a special case, the latest development in the case on priority basis and prevent the illegal registry of the remaining flats by the absconding builder.

The Bench heard the petitioners and noted that Respondent No.1 has not kept any of the promises made to the Court during hearing and has not installed/commissioned the lifts in the complex, made provisions of continuous supply of electricity and water in the project. Due to her continuous absence, the bank accounts of the promoter company (PAN AABCU4039M) and their directors Mrs Alpana Kumar (Aadhar No.877442666159 PAN BOBPK9247P) and Nirmal Kumar (Aadhar No.330340966922 PAN AUHPK9785B) were frozen by the Bench on 25<sup>th</sup> February 2019.

The promoter has also not paid the cost levied on her for non-appearance on consecutive dates like 19/06/2019, 09/07/2019, 26/08/2019, 28/08/2019 and 18/09/2019. The action of the promoters like execution of the conveyance deeds of remaining flats without meeting their obligations towards the complainants constitute a flagrant violation of the section 17 of the Real estate ( Regulation and Development) act 2016. The Bench agreed that there is need for issue of interim order under Section 36 of the Bihar Real Estate (Regulation & Development) Act, 2016 to restraint the promoter from carrying on any act in contravention of the provisions of the Act until issue of final orders.

The Bench, therefore, directs that no flat or apartment in the project “Kedar Palace” situated at Karorichak, Beur, Phulwari Sharif be registered by any registering authority i.e. District Registrar, Patna Sadar and District Sub Registrar, Phulwari Sharif until further orders. IG Registration is kindly requested to issue necessary direction in this respect to all concerned.

Further, all bank accounts of the Respondent company **M/s Utkarsh Infra Construction Pvt. Ltd** (PAN AABCU4039M) and its three Directors namely; Mrs Alpana Kumar (Aadhar No.877442666159 PAN BOBPK9247P) and Nirmal Kumar (Aadhar No.330340966922 PAN AUHPK9785B) in any scheduled bank be frozen forthwith. A

copy of the interim order passed on 25/02/2019 by this Bench is also enclosed for ready reference.

Sd/-  
(R.B. Sinha)  
Member

Sd/-  
(S.K. Sinha)  
Member