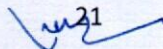


| आदेश का क्रम संख्या और तारीख | आदेश और पदाधिकारी का हस्ताक्षर | आदेश पर की गई कारवाई के बारे में टिप्पणी, तारीख के साथ। |
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| 13/01/2022 | <p style="text-align: center;">IN THE COURT OF THE COMMISSIONER, SOUTH CHHOTANAGPUR DIVISION RANCHI</p> <p style="text-align: center;">JAR Appeal 43/2018</p> <p style="text-align: center;">Arwaind Thakur</p> <p style="text-align: center;">Vrs.</p> <p style="text-align: center;">RMC and Dr. Shishir Vinayak</p> <p>The instant appeal is preferred against the order by RMC for unilateral registration of flat no. B-303, Siddhi Vinayak Apartment, Bariatu Ranchi. After filing this appeal the petitioner only appeared on 20/08/2018 and 27/11/2018. After this the petitioner did not appear in this case on any single date. In spite of last chance being given on 28/12/2021 and 06/01/2022 petitioner did not appear in the court. Hence it was decided to dispose the matter as per available records. From perusal of lower court's order and the appeal petition it is clear that the petitioner is Managing Director of M/s Arjuna Contructions who entered into a development agreement with the land owners for construction of apartment. The land owners did not execute the power of attorney in favour of the appellants as intended and hence the appellants declined to execute the registration of the flats sold to various purchasers. Municipal Commissioner after satisfying himself about the possession letter, development agreement, sale agreement, payment receipts and the occupancy of the flat owner ordered for unilateral</p> | |



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| | <p>registration of the flat and imposed a fine on the builder petitioner. The petitioner claims that he has no authority to execute such registration because of lack of legal deed of conveyance in his favour. Clearly there is a dispute between a land owner and a builder. The purchaser of the flat who has completed all the necessary formalities as required cannot be denied his right to registration of flat in his name. there was a development agreement between the parties. Accordingly Municipal Commissioner has directed for the registration. Hence there is no illegality made out in the order of Municipal Commissioner. The petitioner is also continuously absent showing his lack of interest in this matter. Thus this appeal petition is dismissed. A copy of the order may be sent to RMC for necessary action.</p> <p>Dictated & Corrected</p> <p style="text-align: right;"><i>W. Kumari</i> 12/11/22 Commissioner</p> <p><i>W. Kumari</i> 12/11/22 Commissioner</p> | |