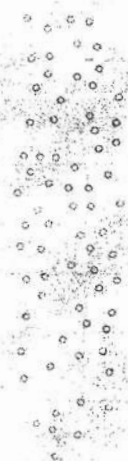




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Government of Jharkhand

e-Stamp

Certificate No.	: IN-JH20259536127379R
Certificate Issued Date	: 13-Aug-2019 02:51 PM
Account Reference	: NONACC (SV) /jh9006904/ RANCHI/ JH-RNC
Unique Doc. Reference	: SUBIN-JHJH900690427642830455053R
Purchased by	: CHANDRA BHUSHAN SINGH
Description of Document	: Article 24 Copy or extract
Property Description	: C COPY
Consideration Price (Rs.)	: 0 (Zero)
First Party	: CHANDRA BHUSHAN SINGH
Second Party	: NA
Stamp Duty Paid By	: CHANDRA BHUSHAN SINGH
Stamp Duty Amount(Rs.)	: 10 (Ten only)



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सच्ची प्रतिलिपि की छायाप्रति
 आले पिला निबधक, रांची

SRI TRIBHIWAN SONS INFRA CONSTRUCTION PVT. LTD

Shiv Kumar

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SR 0003438238



1. Left hand margin for copy of endorsement and certificates.

2. Central space for copy of documents. (Twenty lines of fifteen words each.)

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SRI TRIBHUVAN SONS INFRA CONSTRUCTION PVT. LTD. AUTHORIZED SIGNATURE

257 दस दिस 1.3.1937

कैथी पटा का हिन्दी स्थापना

नाम मोकिर मे सज्जत :- नाम जेना अली बन्दु कुमन अली मोक्लपो जाति
संभलमान पैदा भैती ताकिन सिन्धे, प्रगना पुष्पा थाना
नामकम जिला रांची ।

नाम मोकिर अशेह : दामोदर नाथ मिशिर वी काशी नाथ मिशिर
विवाकर नाथ मिशिर बन्दु वेंज नाथ मिशिर - भुंठे
वलराम नाथ मिशिर बन्दु सुखदेव नाथ मिशिर सुत
नवा लिंग वजरिये बन्दु भाई हकि उदयोहर नाथ मिशिर
जात वरहसन नाकल दिपी प्रेमदारान जमोन्दारी
वी मा लिरत मौजा टोटी उ वगैरह प्रगना पुष्पा
थाना वी जिला रांची ।

विशेष पटा :- इसतिपण नामा जिलका क मजलुजारी 3 अगना
वी तैत ।

तापदाद खेपेता :- xx

तपसिल जमोन
मै रागना

3- तपसिल जमोन 82 क्षेत्रमित जमोन टांड
वी मकान सजन ह विपत जमानों रैपती वाके मौजा
टाटी प्रगना पुष्पा थाना वी जिला रांची थाना
नं० 173 डेवड नं० 22/3 थाना नं०-262 कुतअलके जमेकटरी
वी जेराजिदार वी सव रजिदार मोकम रांची के वाके है।

उउ मन मोकिरान नहीं देने मजल के तामोछ तहरीर
से अप्पे सुतो से इसतिपण हाजा लिख दिया अब बाहिर
कि मा लिक मजकर वी वारितान कायम मौका मियान
हसव जेल जमोन को जैता दित चाहे वी विजरी वगैरह
करे वा वगान लगारे या हुसरे रैपत के साथ वन्दोवस्त
करे उससे हम को वा हमारे वारितान कायम मौका मियान
को तैप इसतिपण हाजा से कोई सरोकार नहीं है वी ना

सही कियार अली इसतिपण लिख दिया से सही वाउ स्व लाल साह
सही रूप लाल साह मोकिर कसम हुकर निमानी हरे नामसे बनाया
वाउबात ।
गवाह सवि बन्दु तांडट रांची ।

देवाह किपाल राम तांडट वी किल
रांची वाउबात



Ashok Kumar Mishra

सुनिता देवी Ramesh Nath Mishra

Chandra Kum Mishra

Brajesh Kumar Mishra

Rishi Raj Mishra

Ashok K Mishra

Ripeshwar Mohan Mishra Adv. Adv. 27/11/19

Photo Copy
Compare with
original by me
which is true
and correct

Dhivraj Kumar

Dhivraj Kumar

AUTHORISED SIGNATORY

SRI TRISHWAN KUMAR SOLO ADVOCATE, RANCHI (INDIA)

= 21 =

साबुते होगा अगर करे तो इस तहरीर के
से कागज़ को मायापत्र हे तहरीर
वास्तु अपना हुती हे इसी मण काजा गिद दिया
कि वखम नर काम जाये।

सम्पत्ति जमोन

फ्लैट नं०	नाम जमइन	खियारी	रडो
1268	रोड निगा टांड	1	0-78
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मिजान तैराती असमिल ।

आज तारीख एक माघ तन उनोस ती 19 अइ इगवी
भौकाम रज्यो पढकर हुना यो समझा दिया।

वा० का मिस राम चन्द्र प्रसा तार्डउ वकिल रज्यो
उपर वाजार ।

तहरी० तैवाज अली

वा० अहम रूप ताल ताह ।

अनुवादक

दंकक

Mishra
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Dinesh Kumar
NOTARY PUBLIC PATNA
1413197

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Compare with
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True and correct*

Mishra
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SRI TRIBHUVAN SONS INFRA CONSTRUCTION PVT. LTD.

Dinesh Kumar

AUTHORISED SIGNATURE *Kumar Mishra*

सुमिता देवी



*Ravesh Nath Mishra
Brajesh Kumar Mishra
Akash K. Mishra
Chandan Kumar Mishra*

Ripeshwar Mishra
Adv.

Desh Raj Mishra

Dinesh Kumar

रजिष्ट्री (लीकानामा) का नमूना डाली (पिता)
 गुमान डाली ने खेकन 2/3 के मा/अकाउंट का रजिस्ट्री
 (लीकानामा कला) ६६६ दिनांक १.३.१९६६ का लीकानामा
 खेकन खाला नं. ३६२ प्लॉट १२६८-६८९
 2/3 १२६६-०८९ जमा

अ खतिमान में १२६६ (कंका ०८९)
 पा ~~का~~ गड्डा डाली का शिकमी
 दाखल की था ~~जो~~ बहुत पहले
 नाबालग बनी / उनके गवर्नर होने
 के बाद से मुलाम गौस (ना) पिता मुलाम खुल
 का आस है ६० वर्ष पहले शिकमी सा.
 रफत बनाया गया। मुलाम गौस
 (ना) ~~का~~ ६० वर्षों से शिकमी रफत
 के ही रफत ~~अ~~ है दाखल का है
 श्री - (गालाग लवान २११) ~~का~~ देना
 आया है।

RI TRIBHUVAN SONS INFRA CONSTRUCTION PVT. LTD

2/3 केक के मालिक ~~का~~

Divya Kumar

AUTHORIZED SIGN.



वत्सल मिश्र पिता एवं देव मिश्र
 मिश्र १ अंश - दासदा मिश्र काशीनाथ
 मिश्र दिवाकर मिश्र पिता वंशनाथ
 मिश्र ये जिनके वत्सल उनका पिता का
 मालिक निम्न ~~का~~ वत्सल वत्सल
 वत्सल मिश्र दासदा मिश्र काशीनाथ

गणपत मिश्र ~~का~~ वत्सल मिश्र सत्यगोपाल मिश्र (मिश्र)
 वत्सल मिश्र दिवाकर मिश्र
 उमराव मेलाग

REVOCATION (MISC.) CASE NO. 01/2021

Surendra Singh,
S/o Late Kapildeo Singh,
Aged about- 54 years,
Resident of village- Bandhgari,
P.O.-Bariyatu, P.S.- Sadar,
Dist.-Ranchi.

--- Petitioner

-VERSUS-

1. Shri Tribhuwan Sons Infra Construction Pvt. Ltd.
2. Dhiraj Kumar, Director of the Project.
3. Chandra Bhushan Singh, Manager of the Project.

Office No. 606, 6th Floor, Samridhi Square,
Opp. Devi Mandap, Kishoreganj,
Ranchi- 834 001 (Developers of the project).

4. Ashok Mishra alias Chandan Mishra,
Son of Satya Narayan Mishra,
Resident of Mauza- Silwai, P.S.- Tanti-Silwai,
Dist.- Ranchi.

(so called land-owner over which the proposed building is under construction)...

--- Opposite Parties



सत्यापित प्रतिलिपि
11.03.22
जारी करने वाले पदाधिकारी का हस्ताक्षर
असल भू सं नियो प्राप्त
(अधिसूचना), राँची
11/3/22

Petitioner represented through --- Krishna Kumar, Advocate
Opposite Parties represented through --- Vikramaditya Roy, Advocate

Coram:- Hon'ble Chairman Smt. Seema Sinha

ORDER
08.03.2022

1. A petition has been filed on behalf of the Petitioner Surendra Singh on 22.07.2021 and a Reply to the said petition has also been filed on behalf of the Opposite Party on 30.09.2021.

Heard on the petition. It has been submitted by the Ld. Counsel appearing on behalf of the Petitioner that the application for the registration of the project namely **Sri Tribhuvan Damodar Kashi Complex** is not maintainable and fit to be rejected outright because the Developers of the project does not fulfil any criteria as required u/s 3 of the Real Estate (Regulation & Development) Act, 2016.

It has further been submitted that the Developers/Applicants have not enclosed the essential document alongwith their application as required u/s 4 of the Act while the application for the registration of the said project has been filed in the year 2020-21.

It has also been submitted that the Applicants/Developers have no valid title over the lands which is proposed for construction of the said project. Originally the proposed lands was recorded in the name of one Neyaj Ali as his *Kaiyami Raiyati* land and Sekh Sahar Ali son of Neyaj Ali transferred the said land through his power of attorney Ganesh Mahto in favour of this Petitioner and since then the Petitioner Surendra Singh came



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जाही करने वाले पदा० का हस्ता०
आ० भू० सं० नि० प्रा०
(अररर), राँची
11/3/22

into actual physical possession over the said land vide registered sale deed dated 30.07.2009.

It is further submitted that the Opposite Parties (Developers) have made a false declaration before this Court that the proposed land for construction of the multi-storied building is free from all type of encumbrance while a litigation is going on over the said proposed land vide Title Suit No. 668/2016 pending in the court of Sub-Judge-VI, Ranchi in which the Opposite Parties (Developers) have filed their written statement in the said case.

It has also been submitted that the Petitioner has already filed an application u/s 144 Cr. P.C. before the Sub-Divisional Magistrate, Ranchi in protest to said construction vide Misc. Case No. 2384/2020 and prayed to stop the illegal construction of the Opposite Parties (Developers) but the Ld. Sub Divisional Magistrate, Ranchi disposed off the case observing that the disputes relate to title and it can be only decided by the Civil Court.

It is further submitted that the Opposite Parties without registration of their project with Jharkhand Real Estate Regulatory Authority (JHARERA) displayed prospectus and pamphlets among the public for sale of the duplex, buildings & flats. On the above grounds the Petitioner prayed to reject the application for registration of project namely 'Sri Tribhuwan Damodar Kashi Complex' and also award compensation to this Petitioner for unauthorised construction over the land.

On the other hand the Ld. Counsel appearing on behalf of the Opposite Party has vehemently opposed the submission of the Ld. Counsel appearing on behalf of the Petitioner and has submitted that petition filed by the Petitioner is not maintainable as the Petitioner has not mention under which provision, this petition has been filed and the petition is also

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सत्यापित प्रतिलिपि

जारी करने वाले पदाधिकारी का हस्ताक्षर
जगत भू सं नियो प्रा
(झररा), राँची

11.03.22

pre-mature and hence the Petitioner is neither under the Act nor under the Rules is entitle to seek any relief as prayed in his petition.

It is further submitted by the Ld. Counsel that the Opposite Party No. 1 had entered into a development agreement with the Opposite Party No. 4 and other landowners after fully being satisfied of their right title, interest and possession over the said land.

It is also submitted that the recorded tenant Neyaj Ali had already surrendered the said land to the Zamindar Damodar Nath Mishir, Kashi Nath Mishir, Diwakar Nath Mishir all are sons of Baijnath Mishir, Balram Nath Mishir (minor) S/o late Haribans Nath Mishir vide registered Deed No. 666 dated 01.03.1937. Thereafter the Zamindar took the said land in their khash possession and the land becomes Bakast land of the Zamindar. Later on there was a mutual partition amongst family members of Late Damodar Nath Mishir & Ors. and in the said partition the land in question allotted to family members of Ashok Kumar Mishra & Ors.

It is also submitted that the ancestor of Sekh Sahar Ali had filed a Title Suit in the court of Munsif, Ranchi against Satya Narayan Mishra Ors., who are the ancestor of the Opposite Party No. 4 for the declaration of his right title and possession over the landed property in question being Title Suit No. 28/1994 which stood dismissed vide Order dated 20.08.2004 and as such the transfer of land made by Sekh Sahar Ali vide Deed No. 15457/13663 and Deed No. 15457/13665 dated 30.07.2009 are null and void.

Lastly it has been submitted that in view of the above facts the petitioner does not deserve any relief as claimed by him and as such hispetition is liable to be rejected alongwith heavy cost.



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 जारी करने वाले पदा० का हस्ता०
 ज्ञात भू सं० नि० प्रा०
 (झरारा), राँची
 11/5/22

Having heard the parties and after going through the documents filed by both the parties it appears that litigation is going on between the parties. However before going into merits of this case I would like to mention Section 4 of the Real Estate (Regulation & Development) Act, 2016 which says:-

4 (1) Every promoter shall make an application to the Authority for registration of the real estate project in such form, manner, within such time and accompanied by such fee as may be specified by the regulations made by the Authority.

(2) The promoter shall enclose the following documents along with the application referred to in sub-section (1), namely:—

(a) a brief details of his enterprise including its name, registered address, type of enterprise (proprietorship, societies, partnership, companies, competent authority), and the particulars of registration, and the names and photographs of the promoter;

(b) a brief detail of the projects launched by him, in the past five years, whether already completed or being developed, as the case may be, including the current status of the said projects, any delay in its completion, details of cases pending, details of type of land and payments pending;

(c) an authenticated copy of the approvals and commencement certificate from the competent authority obtained in accordance with the laws as may be applicable for the real estate project mentioned in the application, and where the project is proposed to be developed in phases, an authenticated copy of the approvals and commencement certificate from the competent authority for each of such phases;

(d) the sanctioned plan, layout plan and specifications of the proposed project or the phase thereof, and the whole project as sanctioned by the competent authority;

(e) the plan of development works to be executed in the proposed project and the proposed facilities to be provided thereof including fire



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(अथवा), सचिव 11.03.22
11/3/22

fighting facilities, drinking water facilities, emergency evacuation services, use of renewable energy;

(f) the location details of the project, with clear demarcation of land dedicated for the project along with its boundaries including the latitude and longitude of the end points of the project;

(g) proforma of the allotment letter, agreement for sale, and the conveyance deed proposed to be signed with the allottees;

(h) the number, type and the carpet area of apartments for sale in the project along with the area of the exclusive balcony or verandah areas and the exclusive open terrace areas apartment with the apartment, if any;

(i) the number and areas of garage for sale in the project;

(j) the names and addresses of his real estate agents, if any, for the proposed project;

(k) the names and addresses of the contractors, architect, structural engineer, if any and other persons concerned with the development of the proposed project;

(l) a declaration, supported by an affidavit, which shall be signed by the promoter or any person authorised by the promoter, stating:—

(A) that he has a legal title to the land on which the development is proposed along with legally valid documents with authentication of such title, if such land is owned by another person;

(B) that the land is free from all encumbrances, or as the case may be details of the encumbrances on such land including any rights, title, interest or name of any party in or over such land along with details;

(C) the time period within which he undertakes to complete the project or phase thereof, as the case may be;

(D) that seventy per cent. of the amounts realised for the real estate project from the allottees, from time to time, shall be deposited in a separate account to be maintained in a scheduled bank to cover the



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जाही करने वाले पदा का हस्ता
अथ भू सं नि 0 प्रा 0
(इसेरा). राँची

11/3/22

cost of construction and the land cost and shall be used only for that purpose:

-----"

In view of the above provision it is crystal clear that what documents have to be filed by the Promoter alongwith application for registration of his project. If any of the document is lacking his project would not be registered with JHARERA. Section 7 of Real Estate (Regulation & Development) Act, 2016 clearly states that if the Promoter makes default in doing anything required by or under this Act or the Rules or the Regulation made thereunder or conceals any fact, the Authority may, on receipt of a Complain or Suo Moto in this behalf or on the recommendation of the competent Authority, revoke the Registration granted u/s 5 of Real Estate (Regulation & Development) Act, 2016.

Under the above stated facts & circumstances I find that petition filed by the Petitioner is pre-matured.

Hence this case is disposed off alongwith aforesaid observation.




(Seema Sinha),
Chairman

सत्यापित प्रतिलिपि
जारी करने वाले पदा० का हस्ता०
ज०० भू० सं० नि० प्रा०
(झारखण्ड), राँची
11/3/22