

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Single Bench of Mr. Naveen Verma, Chairman**

**Case No: RERA/SM/318/2018**

**Authorised Representative of RERA**

**...Complainant**

**Versus**

**M/s. Unibera Group Pvt. Ltd.**

**...Respondent**

**Project: Unibera Residency**

**Present: For Authority : Shri. Ankit Kumar, Advocate.**

**For Respondent: None**

**24.03.2023**

**ORDER**

Real Estate Regulatory Authority, Bihar issued a suo motu show- cause notice on 18.12.2018 to the Managing Directors of the respondent company for contravention of section 3 of the Real Estate (Regulation & Development) Act 2016 by advertising the project Unibera Residency through the brochures on their website without registering the project with RERA, Bihar. The promoters were directed to show cause as to why proceedings under Section 59 of the Real Estate (Regulation & Development) Act 2016 may not be initiated against them.

The respondent company in its reply dated 24.05.2019 had stated that the project was discontinued within a month of its conception dated i.e. December, 2016. They further stated that the company is no longer doing this project and no activities are being done on the said project. The land deal with the landowner did not materialize and the project was abandoned.

The Authority takes note that under the first proviso of Section 3 of the Act, all the ongoing real estate projects were required to register by 31st July, 2017 with the Real Estate Regulatory Authority, Bihar. Further, section 3 of the Act provides that no promoter can advertise, market, book, sell or offer for sale or invite persons to purchase in any manner any plot, apartment or building as the case may be, in any real estate project or part of it, in any planning area within a State, without registering the real estate project with the Real Estate Regulatory Authority (RERA) established under this Act.

The term Advertisement has been defined in the section 2 (b) of the Act as follows: “Advertisement means any document described or issued as advertisement through any medium and includes any notice, circular or other documents or publicity in any form, informing persons about a real estate project, or offering for sale of a plot, building or apartment or inviting persons to purchase in any manner such plot, building or apartment or to make advances or deposits for such purposes.”

Thus, it is established that the respondent company has advertised their project without registering the project with the Authority and thereby violated the provisions of Section 3 of the Real Estate (Regulation & Development) Act, 2016.

Since the respondent company have contravened the provisions of section 3 of the Real Estate (Regulation and Development) Act, 2016 by advertising their project “Unibera Residency” through the brochure on the website without registering the project with the Real Estate Regulatory Authority, Bihar, but keeping in view the fact that the said project has been dropped/abandoned by the company, the Authority decides to levy a token penalty of Rs 10,000/- ( ten thousand Only) on the respondent company to be paid within sixty days of the issue of the order.

With these directions, the matter is disposed of . A copy of the order may be mailed to the promoter.

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