

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**  
**Before the Double Bench of Mr. Naveen Verma, Chairman consisting with Mr.**  
**S. D. Jha, Member.**  
**RERA/SM/547/2022**

**Authorised Representative of RERA** .....**Complainant**

Vs

**M/s Aashritha Homes and Developers Pvt. Ltd.** .....**Respondent**

**Project: Vaidehi Vihar, East West**  
**Corridor, NH 57, Darbhanga.**

**19.12.2022:**

**ORDER**

Learned counsel for the respondent Mr. Sumit Kumar and Authorised representative of RERA are present.

Learned counsel for the promoter has filed a copy of complaint lodged to the Police for criminal action against the alleged miscreants who had allegedly issued the advertisement. Learned counsel for the promoter also files affidavit stating that the advertisement was not issued by them. He submits that there is no violation of Section 3 of the Act.

This suo-motu proceeding was initiated on the basis of complaint filed before the Authority against the project Vaidehi Vihar for advertisement without registration with RERA.

During the hearing on 27.9.2022 the learned counsel for the promoter had filed a copy of the order of the Hon'ble Patna High Court. In that case the Hon'ble High Court had directed that the matter first be dealt with the issue of jurisdiction and the applicability of the Act. Learned counsel for the promoter submits that this matter is under the purview of the Authority because they have applied for registration. The Authority, therefore, holds that the judgement cited above is not applicable in this matter.

In view of this submission on oath and copy of the Police complaint, the authorized representative of RERA submits that further action in this matter may not be necessary.

In view of the above submissions the suo-motu proceeding is dropped.

Sd/-  
**(S. D. Jha)**  
Member

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