

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Single Bench of Mrs. Nupur Banerjee, Member

Case No: RERA/SM/606/2023

Authorized Representative of RERA **...Complainant**

Versus

M/s. Grih Vatika Homes Pvt. Ltd. **...Respondent**

Project: Ambika Vatika

Present: For Authority: Shri Rishikesh Rajan, Advocate.

For Respondent: Shri Mohit Kumar, Advocate

02-08-2024

ORDER

The matter was taken, learned counsel for Authority is present. Learned counsel for Respondent is present.

The Real Estate Regulatory Authority, Bihar issued a Suo Motu show- cause notice on 06-07-2023 to the respondent company for contravention of section 3 of the Real Estate (Regulation & Development) Act 2016 by advertising and taking booking in the project **Ambika Vatika** without registering the project with RERA, Bihar. The promoters were directed to show cause as to why proceedings under Sections 35& 59 of the Real Estate (Regulation & Development) Act 2016 may not be initiated against them.

The respondent has filed reply stating therein that the project was launched before 2013 but due to land owner disputes the project was dropped by the respondent and he has also filed a copy of application to the Police Station S.K. Puri to lodge a complaint for online advertising the project.

The Bench notes that technical wing of RERA has submitted its report dated 28-07-2023 of the project.

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."

Considering the reply filed and documents placed before the Authority. The SUO MOTU proceeding is being dropped against the respondent company for the project - Ambika Vatik.

With these directions, the matter is disposed of.

Sd/-
Nupur Banerjee
Member