

Before Mr R.B. Sinha & Mr S.K. Sinha, Members of RERA, Bihar

Suo Motu Case No:- SM/296/2019

Authorized Representative of RERA.....Complainant

Vs

M/s Swansgreen Estate Pvt. Ltd.....Respondent

Project:- Swans Green Empire

Present : For the Authority: Mr. Sumit Kumar, Advocate
Mr. Jainandra Kumar, Advocate

For the Respondent : None

08/01/2020

INTERIM ORDER

Hearing taken up. No one has turned up on behalf of the respondent company.

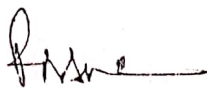
In spite of issuance various notices and orders passed by the Authority to register the said project, neither the order/direction of the Authority has been complied with nor the respondent company has appeared or has register their project.

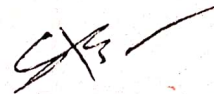
Today again no one on behalf of respondent company appeared nor the earlier direction of the Authority has been complied with, hence, the Authority is compelled to issue interim order against the respondent company.

In view of the aforesaid facts and keeping in view the approach of the respondent company, the Bench deems it necessary for issue of interim order under Section 36 to be read along with Section 34 (f) & Section 37 of the Real Estate (Regulation & Development) Act, 2016.

Further, a show cause is also being issued against the respondent company under Section-59(2) of the Act for their response within two weeks of issue of this order. Section 59(2) of the Act reads as follows:-

Section 59(2) If any promoter does not comply with the orders, decisions or directions issued under sub-section (1) or continues to violate the provisions of section 3, he shall be punishable with imprisonment for a term which may extend up to three years or with fine which may extend up to a further ten per cent. of the estimated cost of the real estate project, or with both.


871



It is further directed that until further order, all bank accounts of **M/s. Swansgreen Estate Pvt. Ltd.** and their three directors (i) **Sri Nishu Kamal (Director)**, (ii) **Sri Roshan Verma (Director)** (PAN no:- **BRRPS5412F**) (aadhar no:- **595057275852**) and (iii) **Sri Sumit Sinha (PAN No:- AUBPV9371J)** (aadhar no:- **574372721453**) (DIN No:-**08085392**) having its account no:- 37613310833 in State Bank of India at Bhikna Pahari Branch (IFSC SBIN0003561) and any other bank accounts shall be frozen with immediate effect. **IG Registration** is also be requested to issue directions to all DSRs/Sub-Registrars, Patna not to register any apartment/plot of land in **any project** of **M/s. Swansgreen Estate Pvt. Ltd.** and their three directors (i) **Sri Nishu Kamal (Director)**, (ii) **Sri Roshan Verma (Director)** and (iii) **Sri Sumit Sinha** till further order.

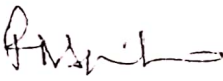
Registrar of Companies (ROC), Patna is requested to provide necessary details like PAN, Bank Account, DIN and Aadhaar details of the respondent company and their two directors within two weeks, so that the Authority may take necessary action against the respondent company. (CIN- **U45209BR2018PTC037565**)

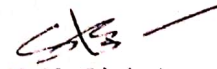
Let a copy of this order be forwarded to concerned State Level Bankers Committee, LHO, Gandhi Maidan, Patna, for taking necessary action.

Let this order be communicated to Director/Directors of **M/s. Swansgreen Estate Pvt. Ltd.** having its registered office at (1) 507, fifth floor, Kaushalya Estate, Dakbanglow, Kotwali, Patna-800001 (email id:- sumit.vv.haj@gmail.com) & (2) Bhagwan Nagar, Veer Kunwar Singh Path, Gola Road, Patna. (email:- info@swansgreen.in) (Mob no:- 9117671000 & 91176720000)

OS (II) has been directed to upload a copy of this order on the Authority's website.

Let the next date of hearing be fixed on 28.01.2020.


(R.B. Sinha)
Member


(S.K. Sinha)
Member