

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Bench of Mr. Naveen Verma, Chairman &
Mrs. Nupur Banerjee, Member

Case No. RERA/PRO/REG.80/2021

Authorized Representative of RERA

v.

Highway & Hydel Projects Pvt. Ltd.

Project –Abdul Majeed Tower

Order

24-03-2022

Hearing taken up for rejection of the application for registration of the project '**Abdul Majeed Tower**'.

Real Estate Regulatory Authority, Bihar issued a show-cause notice to Highway & Hydel Projects Pvt. Ltd., through its Director, Sri Himanshu Kumar on 14.03.2022 as to why the registration of the Project Parmanand Complex, filed by the company with the Real Estate Regulatory Authority (RERA), Bihar, on 10.04.2021, should not be rejected. The ground for rejection was that map submitted by promoter has been approved by Mukhiya who is not the competent authority to approve maps.

Authorised Representative, RERA submits that according to the application, Bhagalpur District has been notified under the planning area and this project address mentions falls under Habibpur, Jagdishpur, District- Bhagalpur.

Mr. Manoj Kumar Singh, learned counsel appears on the behalf of the respondent company and submits that the Project area now comes under the planning area. He further submits that neither the Nagar Nigam nor the district administration was able to clarify

as to who would be the competent authority for approval of map and that details regarding planning area were being finalized. He further submits that project area which was Gram Panchayat now had become Nagar Parishad and submits that he can submit map by getting approval from Nagar Parishad.

The Authority notes the submissions of learned counsel of the promoter and advises him to apply again after the issue of competent authority is clarified and approval of the map is obtained. The promoter can submit the requisite documents as stipulated under Section 4 of the Real Estate (Regulation and Development) Act 2019 and Rule 3 of the Bihar Real Estate (Regulation and Development) Rules 2017 after taking approval from the competent authority.

It directs the Registration wing to refer the matter to Urban Development and Housing Department and seek clarity on whether it is within the jurisdiction of the planning body or urban local body. The details of villages covered by the Bhagalpur planning area may also be obtained from UDHD.

The promoter agrees to withdraw the application for registration.

The Authority allows the prayer of the promoter to withdraw the application for registration of the real estate project Abdul Majeed Tower with the liberty that promoter may apply again for the registration of same project in future along with requisite documents and no fees would be charged.

Sd/-

Nupur Banerjee
(Member)

Sd/-

Naveen Verma
(Chairman)