

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

**Case No. RERA/PRO/REG.074 /2021**

Authorized Representative of RERA

v.

Realvizory Constructions and Developers Private Limited

**Project – RV City**

**HEARING THROUGH VIDEO CONFERENCING**

**ORDER**

**16-03-2022**

Hearing taken up under section 5 (1) (b) of the Real Estate (Regulation and Development) Act, 2016, for rejection of the application for registration of the project ‘R.V.City’.

The Real Estate Regulatory Authority, Bihar issued a notice to Realvizory Constructions and Developers Private Limited, through its Director Mrs. Reshma Kumari, on 0.03.2022, as to why the application for registration of the Project R V City, (Application No. RERAP04052021140847-1) filed by the company with the Real Estate Regulatory Authority Bihar, on 15.04.2021, should not be rejected under Section 5 (1) (b) of the Real Estate (Regulation & Development) Act, 2016. The ground for rejection was that the applicant failed to furnish map approved by the Patna Metropolitan Area, land deed, mutation document, rent receipt, current non encumbrance certificate of land and details of the bank account in the name of the project with the IFSC code. The map of the project submitted has been passed by Mukhiya of Gram Panchayat. Mukhiya is not the competent Authority for the approval of maps of the real estate project.

Mrs. Reshma Kumari, Director appears and submits that application made before PMAA for the approval of but the map was not approved as the area falls under conservation zone as notified in the notification of Patna Metropolitan Area Authority.

The Bench takes note of the fact that Mukhiya of Gram Panchayat does not have the power of approval of building plan in their respective panchayat areas, and after the area is notified within the planning area, the competent authority to approve maps/ plans is the PMAA.

The Bench observes that an application filed under section 4 of the Act must fulfil the requirements of sub-section 2 of Section 4 of the Act as well as Rule 3 and 4 of the Bihar Real Estate (Regulation and Development) Rules, 2017.

The Bench observes that under the master plan of UDHD there are classified zones as red zone, green conservation zone which may be changed only in accordance with the process laid down by the State Government. The Bench suggests that till that is changed the promoter may withdraw the application for registration of the project as the map is not approved by the competent authority. 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.

The promoter agrees to withdraw the application for registration.

The Bench allows the prayer of the promoter to withdraw the application for registration of the real estate project 'R V City' with the direction 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)