

REAL ESTATE REGULATORY AUTHORITY, BIHAR

**Before the Bench of Mr. Naveen Verma, Chairman &
Mrs. Nupur Banerjee, Member**

Case No. RERA/PRO/REG.1071/2019

Authorized Representative of RERA

v.

Bhootesh Construction Pvt. Ltd.

Project – RAHMAT TOWER

HEARING THROUGH VIDEO CONFERENCING

ORDER

24-03-2022

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 'RAHMAT TOWER'.

Real Estate Regulatory Authority, Bihar issued a show-cause notice to Bhootesh Construction Pvt. Ltd. through its Director, Aravind Kumar Singh, on 14.02.2022 as to why the application for registration of the Project RAHMAT TOWER (Application No. RERAP09052019111528-1), filed by the promoter with the Real Estate Regulatory Authority (RERA), Bihar, on 05.09.2019, 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 copy of map approved by the competent authority.

No one appeared on behalf of the respondent company. However, Authorised Representative of RERA placed before the Bench that notice of hearing has already been sent to the concerned promoter through registered post as well as on the email id of the promoter on 14.02.2022.

The Authorised Representative of RERA submits that the promoter has made an application for registration of the Project 'RAHMAT TOWER, with the map approved by Mukhiya Nohsa Gram Panchayat, Block – Phulwarisharif, District Patna, and the area in which the project is proposed has now been notified under Patna Metropolitan Area Authority (PMAA).

The Authority 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 Authority 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.

In the light of facts and circumstances mentioned above the Authority rejects the application for registration of the real estate project 'RAHMAT TOWER' stands rejected as the promoter has failed to submit the requisite documents with the Authority as stipulated by Section 4 of the Real Estate (Regulation and Development) Act, 2016 and Rule 3 of the Bihar Real Estate (Regulation and Development) Rules, 2017. The promoter may apply again for the registration of same project in future along with requisite documents and no fees would be charged from them.

Sd/-
Nupur Banerjee
(Member)

Sd/-
Naveen Verma
(Chairman)