

REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

Case No. RERA/PRO/REG.110/2021

Authorized Representative of RERA

v.

Vastu Vastaya Builder Pvt Ltd.

Project – S.K. TOWNSHIP

HEARING THROUGH VIDEO CONFERENCING

ORDER

09-03-2022

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 ‘S.K. TOWNSHIP’.

Real Estate Regulatory Authority, Bihar issued a show-cause notice to Vastu Vastaya Builder Pvt Ltd. through its Director Shree Satyendra Kumar, on 02.03.2022, as to why the application for registration of the Project S.K. TOWNSHIP (Application No. RERAP15201800356-7), filed by the company with the Real Estate Regulatory Authority (RERA), Bihar, on 24.07.2021, 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 competent Authority as the map enclosed with the application was approved by Mukhiya-Gram Panchayat, Dhanawa, Bodhgaya whereas the location of the project is within the limits of Bodhgaya Planning Area Authority.

No one appeared on behalf of the respondent company. Authorised Representative of RERA placed before the Bench that notice of hearing has already been sent to the concerned promoter through registered post on 02.03.2022, as well as through email.

On perusal of records of the case, it appears that the promoter has made an application for registration of the Project ‘S.K. TOWNSHIP’, before the Real Estate Regulatory Authority (RERA),

Bihar, on 24.07.2021 with the map submitted by the promoter being approved by Mukhiya- Gram Panchayat, Dhanawa, Bodhgaya whereas the location of the project falls within the limits of Bodhgaya Planning Area Authority.

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. Section 4 (2) (d) of the Act requires that an application for registration of a real estate project must contained the map approved by competent authority.

The Authority observes that building map /plan of the proposed project has not been approved by the competent authority in terms of section 4 (2)N (d) of the Act and, therefore, the application for registration of real estate project 'S.K TOWNSHIP' stands rejected as not pressed as the promoter failed to appear before the Authority and also 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, 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 from them.

Sd/-

Nupur Banerjee
(Member)

Sd/-

Naveen Verma
(Chairman)