

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

**Case No. RERA/PRO/REG.12/2021**

Authorized Representative of RERA

v.

Elevation Solutions Private Limited

**Project – Parmanand Complex**

**Order**

23-03-2022

Hearing taken up for rejection of the application for registration of the project '**Parmanand Complex**'.

Real Estate Regulatory Authority, Bihar issued a show-cause notice to Elevation Solutions Private Limited., through its Director Mr. Pankaj Kumar, on 09.03.2022 as to why the registration of the Project Parmanand Complex, filed by the company with the Real Estate Regulatory Authority (RERA), Bihar, on 12.01.2021, 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, the project address mentions the area Mainpura, which comes under the Planning area- PMAA.

Mr. Pankaj Kumar, Director of the respondent company appears and submits that at the time of development agreement, the land owner had obtained the approval of map by the Mukhiya and accordingly applied for the application for registration of the project. He further submits that at time of registration, the competent authority to pass the map was Mukhiya only. He states that a query was raised to submit a draft with late fine of Rs.7 lakh

then the application will be processed further and accordingly the documents were submitted with late fine. He prays for refund of the amount of late fine submitted, if his application for registration is not considered.

On an enquiry by the Bench whether the promoter has started any work or sold any flat of the project or advertise the same or not, Mr. Pankaj Kumar, Director of the respondent company submits that some work has been done but no sale or advertisement regarding the sale has been made so far.

The Bench notes the submissions of the respondent and directs the respondent to submit on affidavit that he has started work in the project but not sold any flat or advertise regarding the same. After submissions of the same, the Authority will examine the issue of refund of the late fine amount of Rs.7 lakh already deposited by the promoter.

The Bench observes that Mukhiya of Gram Panchayat does not have the power of approval of building plan in their respective panchayat areas and that after the area is notified within the planning area, the competent authority to approve maps/ plans is the planning area. Therefore, the real estate project 'Parmanand Complex' stands rejected with the liberty that promoter may apply again for the registration of same project in future after getting the map approved by competent authority along with requisite documents and no fees would be charged from them.

Sd/-

**Nupur Banerjee**  
(Member)

Sd/-

**Naveen Verma**  
(Chairman)