

REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

Case No. RERA/PRO/REG.152/2021

Authorized Representative of RERA

v.

Aarthik Real Estate Development Ltd.

Project – SHRI SAI ASHISH PHASE 1

HEARING THROUGH VIDEO CONFERENCING

ORDER

23-03-2022

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 '**SHRI SAI ASHISH PHASE 1**'.

Real Estate Regulatory Authority, Bihar issued a show-cause notice to Aarthik Real Estate Development Ltd., through its Managing Director, Mr. Rahul Rahi, on 09.03.2022 as to why the application for registration of the Project 'SHRI SAI ASHISH PHASE 1' (**Application No. RERAP06042019140335-4**), filed by the company with the Real Estate Regulatory Authority (RERA), Bihar, on 11.10.2021, should not be rejected under Section 5 (1) (b) of the Real Estate (Regulation & Development) Act, 2016. The ground for rejection were that the applicant made an application for registration of the real estate project on 11.10.2021, in the name of promoter Aarthik Real Estate Development Ltd. whereas the name of the promoter has already been changed to Aarthik Housing Ltd. on 13.08.2020 i.e. prior to submission of application. Therefore, promoter has not made an application to the Authority for registration of the real estate project in such form as required. Moreover, this was breach of the declaration made by applicant at the bottom of the application that all the information made are correct.

Mr. Rahul Rahi, Managing Director appeared on behalf of the respondent company and placed before the Bench that he has sent letter to Authority requesting therein to change the name of the Company from Aarthik Real Estate Development Ltd. to

Aarthik Housing Ltd. He further placed before the Bench that he has mentioned correct name of the company in the hard copy application Form and due to some technical issue, he was unable to change the name of the company in the online application form. He further prays before the Authority to reject the application for Registration of the Real Estate Project

The Authority took note of the fact that promoter has made an application for registration of the real estate Project 'SHRI SAI ASHISH PHASE 1', before the Real Estate Regulatory Authority (RERA), Bihar, on 11.10.2021. Since, the name of the company has already been changed from Aarthik Real Estate Development Ltd. to Aarthik Housing Ltd. on 13.08.2020 i.e. prior to submission of application. Therefore, company was not in existence as a legal entity on the date of application and in case of discrepancy between the online and hard copy application, online application prevails.

The application for registration of 'SHRI SAI ASHISH PHASE 1' project, therefore, stands rejected as the applicant has made false declaration in the application form that all the information made are correct, 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 if the application is made within three months.

Sd/-

Nupur Banerjee
(Member)

Sd/-

Naveen Verma
(Chairman)