

REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

Case No. RERA/PRO/REG.191/2021

Authorized Representative of RERA

v.

Metroplex Homes Pvt. Ltd.

Project – RAM JIWAN APARTMENT

HEARING THROUGH VIDEO CONFERENCING

ORDER

10-03-2022 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 ‘RAM JIWAN APARTMENT’.

Real Estate Regulatory Authority, Bihar issued a show-cause notice to Metroplex Homes Pvt. Ltd. through its Director, Tipu Sultan, on 04.03.2022 as to why the application for registration of the Project RAM JIWAN APARTMENT (Application No. RERAP09272020200434-1), filed by the company with the Real Estate Regulatory Authority (RERA), Bihar, on 16.09.2021, should not be rejected under Section 5 (1) (b) of the Real Estate (Regulation & Development) Act, 2016. The ground for rejection was non-submission of map duly approved map by the competent authority.

No one appears 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 on 04.03.2022, as well as on the email id of the promoter on 05.03.2022.

On perusal of records of the case, it is clear that the promoter has made an application for registration of the Project ‘RAM JIWAN APARTMENT’, with the map approved by Mukhiya Jamaluddin chak Gram Panchayat, District Patna, and the area (Khagaul, as mentioned in the application in the project address

column) in which the project is proposed has now been notified under planning area and Patna Metropolitan Area Authority is the competent authority for sanctioning of real estate project maps.

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.

In the light of facts and circumstances mentioned above the Authority observes that it is apparent that the original building map plan of the proposed project has not been approved by the competent authority in terms of section 4 (d) of the Act and construction of buildings which are not being regulated cannot be allowed putting the interest of allottees in jeopardy. Therefore, the application for registration of real estate project 'RAM JIWAN APARTMENT' 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, 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)