

# **REAL ESTATE REGULATORY AUTHORITY, BIHAR**

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

**Case No. RERA/PRO/REG.66/2021**

Authorized Representative of RERA

v.

Ujjwal Homes Pvt. Ltd.

**Project – UJJWAL BUDDHA RESIDENCY**

## **HEARING THROUGH VIDEO CONFERENCING ORDER**

02-02-2022

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 '**UJJWAL BUDDHA RESIDENCY**'.

Real Estate Regulatory Authority, Bihar issued a show-cause notice to Ujjwal Homes Pvt. Ltd., through its Director, Mr. Alok Kumar, on 21.01.2022 as to why the application for registration of the Project 'UJJWAL BUDDHA RESIDENCY' (Application No. RERAP211201800124-2), filed by the company with the Real Estate Regulatory Authority (RERA), Bihar, on 26.03.2021, 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 failed to furnish Non-Encumbrance Certificate of last ten years of whole land on which project is proposed, proforma of Agreement for Sale as per Bihar RERA Rules, 2017, Fire NOC, Land Deed, Mutation Order, Rent Receipt of Plot No.2055, corrected copy of application as in the Application Form Mauza is mentioned as Amwan whereas in Building Permit Approval Mauza is mentioned as Newtapur, and Registered Development Agreement along with detailed consent of the landowner with whom promoter entered into Development Agreement as the validity of Development Agreement submitted by the promoter has already lapsed.

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 24.01.2022.

The Authority took note of the fact that promoter has made an application for registration of the Project UJJWAL BUDDHA RESIDENCY, before the Real Estate Regulatory Authority (RERA), Bihar, on 26.03.2021. Since, the promoter did not submit the requisite documents as stipulated under the Section 4 of the Real Estate (Regulation and Development) Act 2016 and Rule 3 of the Bihar Real Estate (Regulation and Development) Rules 2017, therefore, notice was served to him on 24.01.2021, to submit Non-Encumbrance Certificate of last ten years of whole land on which project is proposed, performa of Agreement for Sale as per Bihar RERA Rules, 2017, Fire NOC, Land Deed, Mutation Order, Rent Receipt of Plot No.2055, corrected copy of application as in the Application Form Mauza is mentioned as Amwan whereas in Building Permit Approval Mauza is mentioned as Newtapur, and Registered Development Agreement along with detailed consent of the landowner with whom promoter entered into Development Agreement as the validity of Development Agreement submitted by the promoter has already lapsed. As no reply received from promoter another Notice was served to him on 16.09.2021 to submit CA certificate explaining the amounts shown as advances from customers in the Balance Sheet of 2018, 2019 and 2020 and IFSC Code of the Bank Account opened in the name of the project. Promoter only satisfy the query dated 16.09.2021, and has not submitted any piece of paper with respect to query dated 24.01.2021. As no reply was received from the promoter, another notice was served to him on 24.01.2022 for appearing before the Authority on 02.02.2022, but he is not present in the hearing.

The Bench took note of the fact that the promoter has not submitted the requisite documents, despite repeated reminders and failed to appear before the Authority on the assigned date. The application for registration of **UJJWAL BUDDHA RESIDENCY** project, therefore, 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 if the application is made within three months.

**Sd/-**  
**Nupur Banerjee**  
(Member)

**Sd/-**  
**Naveen Verma**  
(Chairman)