

REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

Case No. RERA/PRO/REG.962/2019

Authorized Representative of RERA

v.

Kailashvasi Real Estate Private Limited

Project – JANKI NAGAR

HEARING THROUGH VIDEO CONFERENCING

ORDER

11-03-2022

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 'JANKI NAGAR'.

Real Estate Regulatory Authority, Bihar issued a show-cause notice to Kailashvasi Real Estate Private Limited through its Director Shree Rajeev Kumar, on 04.03.2022, as to why the application for registration of the Project JANKI NAGAR (Application No. RERAP04092019064539-1), filed by the company with the Real Estate Regulatory Authority (RERA), Bihar, on 09.04.2021, 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 of Gram Panchayat Punaura (West), District-Sitamarhi and the location of the project does not fall within any of the planning areas that have been notified by the government.

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 04.03.2022, as well as through email.

The Authority 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 contain 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) (d) of the Act and, therefore, the application for registration of real estate project 'JANKI NAGAR' 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)