

REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

Case No. RERA/PRO/REG.1180/2020

Authorized Representative of RERA

v.

ShubhSourya Developers

Project – SHUBH'S CHITRA JANKI VILLA

HEARING THROUGH VIDEO CONFERENCING

ORDER

06-01-2022

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 'SHUBH'S CHITRA JANKI VILLA'.

Real Estate Regulatory Authority, Bihar issued a show-cause notice to Shubh Sourya Developers through its Director, Mr. Nitin Kumar, on 15.12.2021 as to why the application for registration of the Project SHUBH'S CHITRA JANKI VILLA, filed by the company with the Real Estate Regulatory Authority (RERA), Bihar, on 20.01.2020, 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 details of the bank account opened in the name of Project along with cancelled cheque, Balance sheet, Profit & Loss account statement, Cash Flow Statement, Auditor's Report & Director's Report of last three years, Non-encumbrance certificate of last ten years of Plot No.1367, details of the project done by the promoter in last five years, Proforma of Agreement for Sale as per Bihar RERA Rules, 2017, self-attested copy of PAN of the Director Mr. Nitin Kumar.

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 on 15.12.2021, as well as on the email id of the promoter on 17.12.2021.

The Authority took note of the fact that promoter has made an application for registration of the Project SHUBH'S CHITRA JANKI VILLA, before the Real Estate Regulatory Authority (RERA), Bihar, on 20.01.2020. 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 29.01.2020, to submit details of the bank account opened in the name of Project along with cancelled cheque, Balance sheet, Profit & Loss account statement, Cash Flow Statement, Auditor's Report & Director's Report of last three years, Non-encumbrance certificate of last ten years of Plot No.1367, details of the project done by the promoter in last five years, Proforma of Agreement for Sale as per Bihar RERA Rules, 2017, self-attested copy of PAN of the Director Mr. Nitin Kumar. As no reply was received from the promoter, another Notice was served to him on 15.12.2021 for appearing before the Authority on 06.01.2022, 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 SHUBH'S CHITRA JANKI VILL A project, therefore, stands rejected as the promoter has failed to submit the requisite documents with the Authority as stipulated under 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)