

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**  
**Before the Bench of Mr. Naveen Verma, Chairman &**  
**Mrs. Nupur Banerjee, Member**

**Case No. RERA/PRO/REG.126/2020**

Authorized Representative of RERA

v.

Mithilangan Developers Pvt. Ltd.

**Project – MITHILANGAN PRIME**

**HEARING THROUGH VIDEO CONFERENCING**

**ORDER**

11-01-2022

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 '**MITHILANGAN PRIME**'.

Real Estate Regulatory Authority, Bihar issued a show-cause notice to Mithilangan Developers Pvt. Ltd. through its Employee Smt. Tanuja, on 27.12.2021 as to why the application for registration of the Project MITHILANGAN PRIME (Application No. RERAP04162021130939-2), filed by the company with the Real Estate Regulatory Authority (RERA), Bihar, on 09.08.2021, 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 duly approved map by the competent authority, fire NOC, details of the earmarked bank account in the name of project, copy of PAN & Aadhar card of the contact person, proforma of Agreement for Sale as per Bihar RERA Rules, 2017, mutation, LPC, and rent receipt of the land on which the proposed project is situated and

clarification regarding the fact that Khata no. & plot no. as mentioned in non-encumbrance certificate is not same as given in the land documents.

Mr. Amit Kumar, Director of the respondent company appeared and placed before the Bench that he has submitted all the requisite documents on 10.01.2022, through email on the official email id of the Registration Wing RERA Bihar.

It was brought to the notice of the Bench that the map submitted by the promoter is approved by the Circle Officer.

The Authorized Representative of RERA placed before the Bench that project is situated at Jagatpur, district Madhubani which now falls under Planning Area, therefore, Circle Officer is not the competent authority to approve map of the concerned project.

The promoter stated, on a query by the Bench that the project is for an apartment block of six floors. The Bench noted that the Circle Officer would not have had the benefit of getting the map/plan examined by independent architect/ engineer before approval.

The Bench observed that the project is now covered by the Madhubani Planning Authority and advised the promoter to obtain a fresh sanction of the map/plan from the competent authority. The promoter is at liberty to withdraw the present application. In any case, considering the fact that the promoter has failed to furnish duly approved map by the competent authority the application for registration of **MITHILANGAN PRIME** project would be 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. The promoter is at liberty to 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)