

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Single Bench of Mrs. Nupur Banerjee, Member**

**Case No: RERA/SM/621/2023**

**Authorised Representative of RERA**

**...Complainant**

**Versus**

**M/s Grih Vatika Homes Pvt. Ltd.**

**...Respondent**

**Project: Raghunath Green Vatika**

**11-07-2024**

-----

**22-07-2024**

**ORDER**

Real Estate Regulatory Authority, Bihar issued a Suo Motu show- cause notice on 21-11-2023 to the respondent company for contravention of section 3 of the Real Estate (Regulation & Development) Act 2016 by advertising the project **Raghunath Green Vatika**, through advertising on the website without registering the project with RERA, Bihar. The promoters were directed to show cause as to why proceedings under Section 59 of the Real Estate (Regulation & Development) Act 2016 may not be initiated against them.

The respondent has filed reply stating therein that the project is registered in the name of **Green Vatika**.

The Authority takes note that under the first proviso of Section 3 of the Act, all ongoing real estate projects were required to register by 31st July, 2017 with the Real Estate Regulatory Authority, Bihar. Further, Section 3 of the Act provides that no promoter can advertise, market, book, sell or offer for sale or invite persons to purchase in any manner any plot, apartment or building as the case may be, in any real estate

projector part of it, in any planning area within a State, without registering the real estate project with the Real Estate Regulatory Authority (RERA) established under this Act.

The term Advertisement has been defined in the section 2 (b) of the Act as follows: “Advertisement means any document described or issued as advertisement through any medium and includes any notice, circular or other documents or publicity in any form, informing persons about a real estate project, or offering for sale of a plot, building or apartment or inviting persons to purchase in any manner such plot, building or apartment or to make advances or deposits for such purposes.”

Thus, it is established that the respondent company has advertised their project without registering the project with the Authority and thereby violated the provisions of Section 3 of the Real Estate (Regulation & Development) Act, 2016.

Since the respondent company has contravened the provisions of Section 3 of the Real Estate (Regulation and Development) Act, 2016, by advertising their project " **Green Vatika** " without registering it with the Real Estate Regulatory Authority, Bihar, the Authority.

The Authority takes note of the technical report filed by the technical wing dated 21-02-2024 stating therein that the project is registered in the name of **Green Vatika** and the respondent has paid the late fee at the time of getting the project registered.

On hearing dated 27-05-2024, the learned counsel for the respondent submitted that the promoter has paid the registration

fee with late fine for registering the project and the same has been paid by the respondent.

Taking note that after issuance of suo motu notice, they have applied for registration of the project by paying registration charge along with late fees and the fact that the project has since been completed, the Authority directs that the amount taken as late fees be treated as penalty and deposited in the appropriate account.

With these directions, the matter is disposed of.

**Sd/-**  
**Nupur Banerjee**  
**Member**