

REAL ESTATE REGULATORY AUTHORITY, BIHAR

In the Court of Adjudicating Officer

Case No: RERA/SM/173/2018

Authorised Representative of RERA

...Complainant

Versus

M/s. Realize Realcon Pvt. Ltd.

...Respondent

Project: PND Mall

Present: For Authority: Shri Abhinay Priyadarshi, Authorized Legal Counsel.

For Respondent: None

30.08.2024

ORDER

The matter was last heard on 08-08-2024 and was put up for order on 30-08-2024. Shri Abhinay Priyadarshi, Authorized Legal Counsel, appeared on behalf of the Authority. No one appears on behalf of the respondent, however, a reply dated 31-07-2018 has been filed on behalf of the respondent.

The Real Estate Regulatory Authority, Bihar issued a Suo Motu show- cause notice on 25.07.2018 to the respondent company for contravention of section 3 of the Real Estate (Regulation & Development) Act 2016 by advertising and taking booking in the project PND Mall, Patna without registering the project with RERA, Bihar. The promoters were directed to show cause as to why proceedings under Sections 35& 59 of the Real Estate (Regulation & Development) Act 2016 may not be initiated against them.

The respondent filed a reply stating that they had planned a commercial mall by the name of PND Mall and acquiring the land but not coming up with the construction. The Technical Wing placed on record the report dated 02-09-2024 in regard to estimated cost of the project along with the site photographs of the project.

Perused the record. The Authority observes that apart from the show cause notice issued, there is no material on the record from which established that respondent has advertised the project and taken booking. Also notice issued under the first proviso of Section 3 of the Act as ongoing real estate projects does not substantiate with any evidence from which it established that project is as on date ongoing. Hence, considering the such facts and circumstances and considering the submissions of respondent, the Suo Motu proceeding initiated under Sections 35& 59 of the Real Estate (Regulation & Development) Act 2016 vide show- cause notice dated 25.07.2018 for violation of section 3 of the Real Estate (Regulation & Development) Act 2016 is being dropped against the respondent company for the project PND Mall.

With these observations, the matter is disposed of.

**Sd/-
Ambrish Kumar Tiwari
A.O.**