

REAL ESTATE REGULATORY AUTHORITY, BIHAR

In the Court of Adjudicating Officer

Case No: RERA/SM/38/2018

Authorised Representative of RERA

...Complainant

Versus

M/s. Agrani Homes Real Marketing Pvt. Ltd.

...Respondent

Project: Agarni SBI Nagar

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

For Respondent: None

30.04.2024

ORDER

The matter was taken. Learned counsel for Authority is present. No one appears on behalf of the respondent, however, a reply dated 30-05-2018 has been filed on behalf of the respondent.

The Real Estate Regulatory Authority, Bihar issued a Suo Motu show- cause notice on 16.05.2018 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 Agrani Grand City, 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 at mistake was committed which was not deliberate rather it was in the misconception

of the understanding of law. It has also been submitted that these mistake are in humble submission which has to be pardoned.

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 Bench observes that against the promoter a Suo-Motu case bearing no. SM/39/2018 was already initiated for Project Agrani Grand City where plea was taken by the promoter that Agrani Grand City is only known as Agrani SBI Nagar. The Technical Wing report dated 13-06-2023 placed on record also reveals that Project Agrani Grand City and project Agrani SBI Nagar is same. Hence, considering that against project Agrani SBI Nagar a penalty of Rs. 30,00,000/-, (Rupees Thirty Lakh) is already imposed upon promoter in RERA/ SM/39/2018, the proceeding initiated in present case vide show cause notice dated 16.05.2018 for violation of section 3 of the Real Estate (Regulation & Development) Act 2016 is being dropped out against promoter.

With above observations, this matter is disposed of.

Sd/-

Ambrish Kumar Tiwari

A.O.