

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

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

**Case No. RERA/SM/527/2022**

**Authorised Representative of RERA.....Complainant**

**Vs**

**M/s Gauri Enterprises Real Estate .....Respondent**

**Present: For Complainant: Mr. Ankit Kumar, L.R.  
For Respondent: Mr. Manas Prakash, Advocate**

**28/09/2022**

**PROCEEDING**

Hearing taken up. The complainant is present. The respondent is represented by Mr. Manas Prakash, Advocate.

Learned counsel for the respondent Agent submits that reply has been filed on affidavit. He refers to para-9 of the affidavit stating that the Agent has not undertaken any transaction of flat or plot of a project which can be registered under Section 3(2) of the RERA Act and hence, the provisions of the Act is not applicable on him.

Learned counsel for the Authority admits that the evidence of advertisement of an agent does not *ipso facto* constitute an offence unless it is made out that they have engaged in transaction of a project as defined under the Act.

In view of the submissions and the affidavit, the matter is dropped.

**Sd/-  
Nupur Banerjee  
Member**

**Sd/-  
Naveen Verma  
Chairman**