



# REAL ESTATE REGULATORY AUTHORITY, BIHAR

3<sup>rd</sup>, 4<sup>th</sup> & 6<sup>th</sup> FLOOR, BIHAR STATE BUILDING CONSTRUCTION CORPORATION  
LIMITED COMPLEX, SHASTRI NAGAR, PATNA-800023.

IN THE COURT OF ADJUDICATING OFFICER, RERA, BIHAR.

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**Case No. RERA/SM/44/2018**

Authorised Representative of RERA ..... Complainant

Vs.

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

**Project: AGRANI SANGITA KUNJ**

**Present: For the Authority: Mr. Abhinay Priyadarshi, Advocate**

**For the Respondent: None.**

## **ORDER**

**23/09/2024**

This case was last heard on 27.08.2024 and the hearing was concluded. Mr. Abhinay Priyadarshi, learned Legal Representative, appeared and defended the case of the complainant, but no one appeared behalf of the respondent.

2. This case was initiated against the project Agrani Sangita Kunj which was advertised and bookings were made by the respondent without registration of the project, for which a suo motu notice was issued to the respondent on 16.05.2018 to show cause as to why proceedings under Sections 59 of the Real Estate (Regulation and Development) Act, 2016 (in short, the RERA Act, 2016) be not initiated against the company and its Directors/official for non-compliance of the provisions of Section 3 of the RERA Act, 2016.

3. The first proviso of Section 3 of the RERA Act, 2016 provides that all the ongoing real estate projects were required to register by 31<sup>st</sup> July, 2017 with the Real Estate Regulatory Authority, Bihar. Further, Section 3 of the Act provides that no promoter shall 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 project or 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.

4. The term ‘Advertisement’ has been defined in Section 2(b) of the ‘RERA Act, 2016’ 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 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.”

5. It is to note that vide proceeding dated 10.06.2024 the Court directed the office to issue notice to the respondent for appearance. In compliance thereof, the office issued notice on 28.06.2024 but no one appeared for the respondent. Hence, the Court is left with no option but to dispose of the case on the basis of material available on record.

6. It is to further note that vide proceeding dated 10.06.2024 also the Court directed the Technical Wing of RERA to submit report regarding estimated cost of the project. In compliance thereof, the Technical Wing submitted its report wherein, it is stated that the total estimated cost of the project is Rs.15.323 crore and no QPR was uploaded on the RERA Website.

7. Taking into consideration the aforesaid facts and the material available on record, it is evident that the respondent company has contravened the provisions of Section 3 of the RERA Act, 2016 by not registering the project with the Real Estate Regulatory Authority, Bihar. Hence, the Authority is levying a penalty of Rs.10,00,000/- (Ten Lakh) upon the promoter, namely, M/s Agrani Homes Real Marketing Pvt. Ltd., as per Section 59(1) of the RERA Act, 2016. The Authority directs the respondent company and its Director, Mr. Alok Kumar to pay the penalty amount within 60 days and to get the project registered with RERA Bihar. The Authority further directs the

respondent to remove all the advertisement of the project namely Agrani Sangita Kunj from all mediums within a fortnight.

7. The respondent – promoter M/s Agrani Homes Real Marketing Pvt. Ltd., is directed to comply the order within 60 days, failing which further action under Section 59(2) of the RERA Act, 2016 would be taken against the promoter.

8. The matter is, accordingly, disposed of.

Sd/-

**(Amrish Kumar Tiwari)**  
**Adjudicating Officer**