



REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Hon'ble Chairman Mr. Vivek Kumar Singh, RERA,
Bihar.

RERA/SM/152/2018

Authorised Representative of RERA Complainant
Vs
M/s Apna Aashiana Homes Pvt. Ltd.Respondent

Project: **APNA AASHIANA MEGA TOWNSHIP, PHASE 1 AND 2**

Present: For Complainant: Mr. Rishikesh Rajan, Advocate
For Respondents: Mr. Jai Ram Singh, Advocate

19.09.2025

ORDER

1. Hearing taken up. Learned legal representative Mr. Rishikesh Rajan appears on behalf of the RERA. Learned counsel Mr. Jai Ram Singh appears on behalf of the respondents
2. Learned counsel for the respondent submits that the respondents had filed reply on 16.08.2018. In the said reply, the respondents had mentioned that subsequent to the enactment of the Real Estate (Regulation and Development) Act, 2016, after the requirement of registration came to their knowledge, they immediately applied for registration. It tantamounts to admission that the violation of the provisions of the RERA Act, 2016 was done, albeit inadvertently.
3. Learned legal representative of RERA submits that pamphlet advertising the project in question is on record and has not been refuted.
4. During course of arguments, learned counsel for the respondents mentions that it was a bona fide mistake on the part of the respondents borne out of the ignorance of the provisions of the RERA Act, 2016. He therefore, requested for keeping the penal amount to a minimum, in view the ignorance of the provisions of the RERA Act.
5. Learned legal representative of RERA contends that ignorance of law is no excuse. However, he has no objection with regard to the penalty amount fixed, in view of the admitted violation of the provisions of the RERA Act, as may be decided by the Authority.

6. Having perused the record and gone through the averments, a penalty of Rs. 5 lakh is imposed upon the respondents for violation of Section 3 of the RERA Act, 2016. The Authority directs the respondent-company through its Director's to pay the penalty amount within sixty days of the passing of this order.
 7. As the matter also pertains to violation of Section 11(2) of the RERA Act, 2016 with regard to the advertisement, a further penalty of Rs. 1 lakh is imposed upon the respondent.
 8. The total penalty amount of Rs. 6 Lakh as mentioned above, shall be paid by the respondent company within sixty (60) days from the date of issuance of this order. Failure to comply with this direction will attract further action under Section 59(2) of the Real Estate Regulation and Development) Act, 2016.
 9. The Authority further directs the office to issue a letter to the I.G. Registration, Bihar to issue letter to all the concerned DSRs / Sub-Registrars of Patna to impose a blanket ban on execution of sale deed for the project by the respondent company and its Directors.
 10. The Authority further directs the Circle Officer of the concerned Anchal not to mutate any land pertaining to the said project by the respondent company and its Directors.
- With the aforesaid directions, the matter is disposed of.

Sd/-
(Vivek Kumar Singh)
Chairman