

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Special Presiding Officer,

Mr. Ved Prakash, RERA, Bihar

Case No: RERA/STV/08/2025

With

Case No. RERA/STV/18/2026

Authorized Representative of RERA

Complainant

Versus

M/s Ashritha Homes and Developers Pvt. Ltd.----- Respondent

Project: Vaidehi Vihar

Present: For Authority: Mr. Ankit Kumar (Legal representative)

For Respondent: Mr. Sumit Kumar (Advocate)

17.09.2026

ORDER

1. The matter was taken up. Learned Legal Representative for the Authority and learned counsel on behalf of the respondent are present.
2. The Real Estate Regulatory Authority, Bihar issued Section Three Violation Notices dated 30.10.2025 and 05.06.2026 respectively to the respondent for committing contravention of provisions of Section 3 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as “the Act”) on the ground that the project-Vaidehi Vihar situated at Mauza-Shankarpur Kanshi, Anchal-Darbhanga Sadar, District -Darbhanga, Bihar is ongoing and he is advertising without obtaining registration with the Authority. The respondent was accordingly called upon to show causes as to why proceedings under Sections 35 and 59(1) of the Act 2016 may not be initiated for contravention of provisions of Section 3 of the Act.
3. Learned counsel for the respondent by filing maintainability petitions submits that the respondent denies and disputes all contentions and facts as mentioned in the Notices as well as

complaint petitions, which are contrary to the interest of the respondent except to the extent that the same are specifically admitted herein after.

4. Learned counsel further submits that these cases are not maintainable either in fact or in law.
5. Learned counsel for the respondent further submits that the Authority lacks jurisdiction to hear and decide the instant cases as the project site falls beyond the planning area. Hence as such the Authority has no jurisdiction over the project in question. He further submits that it is settled under RERA Act 2016 that the Authority has jurisdiction over only those projects, which are falling under the planning area.
6. Learned counsel for the respondent further submits that Hon'ble Appellate Tribunal, Bihar in Appeal No.38/2022 and 39/2022 has observed that any real estate project beyond planning area is not required to be registered with the Authority unless specific order is given by the Authority for safeguarding the interest of the allottees.
7. Learned counsel for the respondent further submits that the present project Vaidehi Vihar is neither registered nor is registrable with the Authority. He further submits that the Authority has initiated a Suo Motu case against the project in question through Suo Motu case No. RERA/SM/547/2022, which was dropped on 19.12.2022 by the Hon'ble Authority of RERA, Bihar. Later on, learned RIC RERA, Bihar has also dropped a complaint case NO. RERA/CC/113/2014 on 18.03.2026 arisen with respect to the same project- Vaidehi Bihar. Hence show cause notices and both the present cases against the respondent promoter may be dropped.
8. Learned Legal Representative for the Authority on basis of legal report submitted by Ms. Ojaswi Ishani, Legal Intern and Notification issued by UDHD Govt. of Bihar, confirms that the project-Vaidehi Vihar site falls in Mauza-Shankarpur Kanshi,

Anchal- Darbhanga Sadar ,District -Darbhanga, Bihar, which is in non-planning area.

9. Considering the submissions and the materials available on record, it is established that the project site falls in Mauza –Shankarpur Kanshi, Anchal-Darbhangha Sadar, District-Darbhangha, Bihar, which is still outside the panning area, therefore as of now, it is beyond the jurisdiction of the RERA Act 2016. Hence Bench/Authority observes that the provisions of Section 3 RERA Act 2016 do not apply in the present project. Accordingly, the show cause notices and both the present cases against the respondent promoter are dropped.

With these observations, these cases are disposed of.

Sd/-

(Ved Prakash)
Special Presiding Officer
RERA, Bihar
17.09.2026