

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**  
**Before the Single Bench of Mr. Ved Prakash,**  
**Special Presiding Officer**

**Case No: RERA/SM/651/2024**

**Authorized Representative of RERA**

**...Complainant**

**Versus**

**Green Homes Buildtech Pvt. Ltd.**

**...Respondent**

**Project: Green Park**

**Present: For Authority: Shri Ankit Kumar, Advocate.**

**For Respondent: Shri Bhola Kumar, Advocate**

**15.05.2025**

**ORDER**

**29.05.2025**

1. The Real Estate Regulatory Authority, Bihar, issued a Suo Motu show-cause notice on 13.11.2024 to the respondent company for advertising and taking booking without prior registration of the project Green Park with RERA Bihar and thereby contravening the provisions of Section 3 of the Real Estate (Regulation & Development) Act, 2016. The promoter was directed to show cause as to why proceedings under Section 35 and 59 (1) of the Real Estate (Regulation & Development) Act, 2016, should not be initiated against them.
2. The learned counsel for the respondent filed a separate reply dated 30.01.2025 on behalf of Smt. Hina Azim, clarifying that she has no association with Green Homes Buildtech Pvt. Ltd., and is neither its director nor its beneficiary. The inclusion of her name in any notice concerning that company is an error of record. She is, however, a partner in a separate registered partnership firm named 'Green Park', which is engaged in property management and land sales services on a commission or contract basis (GSTIN No. 10AAYFG7335AIZL). This firm is also a registered Real Estate Agent under RERA, with valid certification (Memo No. RERA/Agent Reg-73/2022/893, dated 07.12.2022).
3. Learned counsel further, submits that Smt. Hina Azim denies any role in the development of the alleged project and asserts that the 'Green Park' project is distinct from the 'Green Park' partnership firm, which merely acts as an intermediary real estate agent. Therefore, the proceedings against her are unfounded and should be dropped.

4. The learned counsel by filing another reply dated 17.04.2025 in response to the notice dated 13.11.2024, submits that notice incorrectly referred to Hina Azim as a partner of Green Homes Buildtech Pvt. Ltd. However, this is a record error, as Smt. Hina Azim has no concern with Green Homes Buildtech Pvt. Ltd. in any manner whatsoever. She is neither a director nor a beneficiary of the said company. It was further submitted that Green Homes Buildtech Pvt. Ltd. was incorporated on 26.09.2022, with Sanjeev Kumar and another individual as its directors.
5. Learned counsel further submits that it is pertinent to state that the notice issued by the Hon'ble Authority was addressed to "Flat No. 605, 6th Floor, Tufail Residency, Block C, Opposite LIC Building, Fazal Imam Complex, Fraser Road, Patna (Bihar)". However, the official and registered address of Green Homes Buildtech Pvt. Ltd. is "Shop No. 9, 10, 11 & 12, 3rd Floor, Fazal Imam Complex, Block-A, Fraser Road, Patna (Bihar)". Therefore, the Green Homes Buildtech Pvt. Ltd. has no relation or connection with the allegations made in the complaint.
6. Learned counsel for the complainant submits that directors of Green Homes Buildtech Pvt. Ltd. are Md. Khalid Azim and Sanjeev Kumar, and the name of the company is clearly mentioned as Green Homes Buildtech Pvt. Ltd. in the advertisement as well. Further submits that since Green Homes Buildtech Pvt. Ltd. has already appeared through learned counsel and he has filed his vakalatnama in the present case on the behalf of the company, hence there is no need to issue a separate notice to the respondent company.
7. Heard both the parties and perused the record.
8. Considering the submissions of the parties and ongoing through the record, it appears that after the enforcement of the Real Estate (Regulation and Development) Act, 2016 (RERA), the present unregistered project, 'Green Park', qualifies as an ongoing project.
9. The advertisement published by the promoter, namely Green Homes Buildtech Pvt. Ltd., clearly refers to the project as being located in Anandpur, Bihta, Patna, Bihar 801103, which falls under the planning area. Therefore, the project comes within the purview of the RERA Act, 2016.
10. Section 2(b) of the RERA Act, 2016 states that:

*"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 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;*

11. Further Section 3 (1) of the RERA Act, 2016, states:  
*"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, without registering the real estate project with the Real Estate Regulatory Authority established under this Act:"*
12. The Bench notes that the directors of Green Homes Buildtech Pvt. Ltd. are Md. Khalid Azim and Sanjeev Kumar, and that the name of the company is clearly mentioned as Green Homes Buildtech Pvt. Ltd. in the advertisement as well. Therefore, the name of Smt. Hina Azim is removed from the present case.
13. Furthermore, since Green Homes Buildtech Pvt. Ltd. has already appeared through counsel and the learned counsel for the respondent company has filed his vakalatnama in the present case, hence there is no need to issue a separate notice to the respondent company.
14. In light of the above observations, it is concluded that the respondent company has advertised their ongoing project Green Park without prior registration with the Authority and hence violated the provisions of Section 3 of the RERA Act, 2016. Consequently, the Bench decides to impose penalty under Section 59(1) of the RERA Act, 2016 against the respondent /promoter.
15. The total estimated cost of the project, as per the advertisement of the project made by the promoter is around Rs.10,00,00,000/- (Ten Crore only) (Approx).
16. Hence, a penalty amount of Rs. 6,00,000/- (Six Lakh) is imposed on the respondent company, which is approximately less than .7% of the total estimated cost of the project. This amount must be paid by the respondent company within sixty (60) days of this order and on non-compliance of the order, action under Section 59(2) of the RERA Act 2016, will be initiated.
17. However the respondent is directed to get register the project at earliest with the RERA, Bihar.  
With these directions, the matter is disposed of.

**Sd/-**

**Ved Prakash  
Special Presiding Officer**