

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Hon'ble Inquiry Commissioner, Mr. Sanjaya Kumar Singh, RERA, Bihar.

RERA/SM/709/2025

Authorised Representative of RERA

Complainant

Versus

M/s Kamini Construction Pvt. Ltd

Respondent

Project: **SHAHID IDRIS ENCLAVE BLOCK-A**

Present: For Complainant: Mr. Rishav Raj
Legal Representative

For Respondent : None

24.09.2025

ORDER

1. Hearing taken up. Learned legal representative Mr. Rishav Raj appears on behalf of the complainant-Authority. Respondent is absent
2. Learned counsel for the complainant-Authority submits that this case has been taken up for hearing from 25.03.2025 and from then onwards several opportunities have been given repeatedly to the respondent. Today is 7th day of hearing but the respondent, for reasons best known to him, has deliberately tried to evade the proceeding of this Bench by being absent on a regular basis.
3. Learned counsel for the complainant-Authority also submits that as directed during the last date of hearing i.e. on 02.09.2025, two members from RERA – one comprising of Technical Expert and another from Legal Wing, had visited the spot physically and taken out photographs which have been placed with detailed note before this Bench. He further submits that mere perusal of the said report submitted after physical verification of the site makes it clear that the said project has been constructed in contravention of Section 3 of the Real Estate (Regulation and Development) Act, 2016. He requests for necessary penal action against the respondent/promoter concerned as per the provisions of the RERA Act, 2016.
4. Perused the report submitted by the RERA team on account of the physical inspection of the site. On perusal thereof, it is clear that the said

project has been constructed without registration from RERA. The inspection report and photographs of the site annexed thereby makes it clear that the site inspection was done on 23.09.2025. It also makes it explicitly clear that the impugned project has been constructed without registration from RERA and the total cost of the project comes to around Rs.27.08 crores.

5. Even after being given several opportunities, the respondent neither appeared before this Bench nor submitted any reply. It thus appears that he has nothing to say in this matter and hence, there seems to be no valid reason for delaying this matter any further. Therefore, this Bench is constrained to take a final decision in this regard on the basis of the evidences available on record.

6. From pleadings of the learned counsel for the complainant-Authority as well as from the evidences placed on record and also after perusal of the report on the basis of the physical inspection, it is clear that the impugned project has been constructed without registration from RERA and the respondent, therefore, has grossly violated the provisions of Section 3 of the Real Estate (Regulation and Development) Act, 2016 (RERA Act, 2016), he is therefore, liable for penalty under Section 59(1) of the RERA Act, 2016. This Bench, therefore, imposes a penalty of Rs.20.00 (twenty) lakh, (which is less than 1% of the total cost of the impugned project) against the respondent/promoter.

7. For the reasons mentioned above, this Bench directs the respondent to pay the above penal amount within a period of sixty days from the date of issuance of this order, failing which the provisions of Section 59(2) of the RERA Act, 2016 shall be enforced accordingly.

8. This Bench also puts a restriction on sale/registration of any the flat/shop/part thereof of the impugned project. I.G. Registration, Patna is requested to direct the District Sub-Registrar concerned for ensuring the same.

With the above directions, this case is, accordingly, disposed of.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner