

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Single Bench of Mr. Ved Prakash,
Special Presiding Officer
Case No: RERA/SM/415/2019

Authorised Representative of RERA

...Complainant

Versus

M/s. DDL Infratech Pvt. Ltd.

...Respondent

Project: Suraksha Enclave at Bihta

Present: For Authority: Shri Abhinay Priyadarshi, Advocate.

For Respondent: Shri Rabindra Kumar, Advocate.

27.02.2025

ORDER

1. The Real Estate Regulatory Authority, Bihar, issued a Suo Motu show-cause notice on 08.07.2019 to the Director of the respondent company for contravening Section 3 of the Real Estate (Regulation & Development) Act, 2016, for making advertisement of the project "Suraksha Enclave at Bihta," without registering with RERA, Bihar. The promoter was directed to show cause as to why proceedings under Section 59 of the Real Estate (Regulation & Development) Act, 2016, should not be initiated against them.
2. Heard and perused the record.
3. The promoter submitted replies on dated 11.06.2024 and 16.01.2025, stating therein that there is no separate project namely "Suraksha Enclave". Further, it was submitted that in 2019-2020, at the instance of promoter it was clarified to the purchasers through a advertisement in 'Hindustan' newspaper dated 06.02.2021 that "Suraksha Enclave" is part of the project "Agrani Woods." The respondent has placed on record the cutting of said newspaper, which supports the submissions of learned lawyer for the respondent. It was further submitted that the project "Agrani Woods" was already registered with RERA Bihar on 25.01.2019, and at the time of the registration application, the respondent has paid a late fee of Rs. 4,00,000 along with other requisite fees. The learned lawyer for the respondent prayed that the present notice/case to be dropped.
4. On basis of submissions and documents available on the record the Bench observes that "Suraksha Enclave" is, in fact, part of the project "Agrani Woods," as clarified by the respondent

through a newspaper advertisement. It is further observed that the project "Agrani Woods" was already registered with RERA Bihar on 25.01.2019 and at the time of the registration application, the respondent had paid a late fee of Rs. 4,00,000 along with other requisite fees, which is treated as penalty.

5. Hence considering the facts and circumstances, the Authority agrees with the respondent company's contention that the respondent has not made violation of Section 3 of the RERA Act, 2016, hence notice/case against the respondent is hereby dropped.

With these observations, the matter is disposed of.

Sd/-
(Ved Prakash)
Special Presiding Officer