



REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

RERA/SM/403/2019

Authorized representative of RERA

.... Complainant

Vs

M/s Dev Kripa Realcon Ltd.

....Respondent

Projects: Dev Kripa Green City at Hajipur-Chapra

Present: For Complainant: Mr. RishikeshRajan, Advocate

For Respondent: None

13/08/2025

ORDER

1. Hearing taken up. Learned Legal Representative Mr. Rishikesh Rajan appears on behalf of the Authority. The respondents are absent.
2. This case was initiated against the project, namely, Dev Kripa Green City at Hajipur-Chapra which was advertised and bookings were made by the respondent M/s Dev Kripa Realcon Ltd. A *suomotu* notice was issued to the respondents on 10.07.2019 to show cause as to why proceeding under Section 35 and 59 of the Real Estate (Regulation & Development) Act, 2016 be not initiated against the company and its Directors/official for non-compliance of the provisions of Section 3 of the RERA Act, 2016.
3. In the last proceeding dated 14.05.2025, the Authority directed the office to issue fresh notice to the respondent for appearance and also directed the office to issue a separate public notice to them with regard to the said proceeding and in compliance thereof, the office issued notice on 27.06.2025 but till date neither the respondent has appeared nor filed any reply. The Authority also notes that despite several opportunities given to the respondents, they failed to appear or file their reply.
4. In view of the documents on record, it is evident that the advertisement with regard to the project, namely, Dev Kripa Green City at Hajipur- Chapra was made by M/s Dev KripaRealcon Ltd. It is established that the respondent company has contravened the provisions of Section 3 of the RERA Act, 2016 by not registering the project with the Real Estate Regulatory Authority, Bihar. Hence, the Authority is

levying a penalty of Rs.10,00,000/- (Rupees Ten Lakh) upon the promoter, namely, M/s Dev KripaRealcon Ltd. as per Section 59(1) of the RERA Act, 2016. The quantum of the penalty has been based on the generally presumed value of the project based on the prevailing rates. In case the respondent feels otherwise, they may say it on record so that precise evaluation can be then done by the Technical Wing of RERA, and the penalty amount can correspondingly be recalibrated. The Authority directs the respondent company and its Directors to pay the penalty amount within sixty days and to get the project registered with RERA Bihar. The Authority further directs the respondent to remove all the advertisement of the project, namely, Dev Kripa Green City at Hajipur- Chapra from all mediums within fortnight.

5. The Authority further imposes a penalty of Rs. 5,00,000/- on the respondent and its Director's under Section 61 of the Act for violating Section 11(2) of the RERA Act. The Authority directs the respondent company and its Directors to pay the penalty amount within sixty days.
6. The Authority observes that the penalty has been imposed as per the generally prevalent rates in the project area, with a view to expedite the final disposal of the matter, a penalty of Rs. 10,00,000/- and Rs. 5,00,000/- is proposed to be imposed upon the promoter. If the promoter is of the firm opinion that the penal amount is more than 10% of the estimated cost of the project, then the promoter may submit its own estimate of the project within 15 day.
7. The respondent-promoter, namely, M/s Dev Kripa Realcon Ltd is directed to comply the order within sixty days, failing which further action under Section 59(2) of the RERA Act, 2016 would be taken against the promoter.
8. The matter is, accordingly, disposed of.

Sd/-
(Vivek Kumar Singh)
Chairman