



REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

RERA/SM/555/2022

Authorised Representative of RERA

.... Complainant

Vs

M/s Pery Vidya Construction Pvt. Ltd.

.... Respondent

Project: **MOHAN SADAN APARTMENT**

Present: For Complainant: Mr. Rishikesh Rajan, Authorised
Representative of RERA.

For Respondent: None

22/08/2025

ORDER

1. Hearing taken up. Mr. Rishikesh Rajan, Authorised Representative of RERA appears on behalf of RERA. Nobody appears on behalf of the respondent.
2. Even though, the respondent had appeared on the last date, they have failed to appear today in spite of prior knowledge of the proceeding.
3. From the perusal of the reply filed by the respondent, it transpires that the map of the building was passed for G+4 in 2012 but thereafter, a Vigilance case No.77B/2016 was initiated against them on the basis of measurement report. Their contention that the project predates the RERA Act, is not tenable as per the technical report submitted by the Technical Wing of RERA, which clearly mentions that the building was constructed as B+G+6 instead of B+G+4.
4. Obviously, from the technical report, it is clear that the constructions of the additional floors viz. the 5th and 06th Floor were made in contravention of the RERA Act. There is distinct possibility that the same was done without the proper sanction of the competent Authority.
5. As the project falls within the planning area but has not been registered as per the construction done, it is the clear violation of Section 3 of the RERA Act.

1. In the light of the documents available on record particularly, the technical report submitted by the Technical Wing of RERA, Bihar after the site visit, the following observations and directions are being passed.
 - a. 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 Lakh as per Section 59(1) upon the promoter and its Directors.
 - b. The Authority further directs the office to issue a letter to the I.G. Registration, Bihar to issue letter to all the concerned DSRs / Sub-Registrars of Gaya to impose a blanket ban on execution of sale deed for the said project by the respondent company and its Directors.
 - c. The Gaya Municipal Corporation is directed to ascertain the vigilance status of the building in question and take appropriate action as per law.
2. The total penalty amount, as mentioned above, shall be paid by the respondent company within sixty (60) days from the date of issuance of this order. Failure to comply with this direction will attract further action under Section 59(2) of the Real Estate (Regulation and Development) Act, 2016.
3. With these observations and directions, the matter is disposed of.

Sd/-
(Vivek Kumar Singh)
Chairman