



REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

RERA/SM/622/2023

Authorised Representative of RERA Complainant

Vs

M/s Radha Arch Construction Respondent

Project: **R.C. WESTERN MALL**

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

For Respondent: None.

23/07/2025

ORDER

1. Hearing taken up. Mr. Rishikesh Rajan, Authorised Representative of RERA appears on behalf of RERA. The respondent is absent.
2. Neither the complainant is present nor is the respondent present. However, the technical report has been submitted on the basis of site visit on 10th February, 2024 by the Technical Wing of RERA.
3. The Technical Wing of RERA has reported that the project in question is not RERA registered project that is a mixed development project and seems to be completed flat. The first three floors are commercial while the remaining flats are residential flats which are total 43 in number.
4. The technical report assesses the project work to be of around Rs.4.10 Crore.
5. From the perusal of the record, it is apparent that the respondent, in spite of due notice having been served upon them, had not appeared on 14.12.2023, 23.02.2024 and 06.05.2024. Thereafter, summons were issued to him through Sr. S. P., Patna on 06.05.2024 and 02.07.2024. On

the previous date of hearing i.e. on 28.05.2025, it was made clear that the respondent to attend the proceeding failing which would constrain the Authority to pass orders on the basis of documents available on record.

6. It is established that the respondent company has contravened the provisions of Sections 3 of the Real Estate (Regulation and Development) Act, 2016. Accordingly, for contravening the said provisions and in consideration of safeguarding the interests of genuine homebuyers and to safeguard the objective and spirit envisaged under the RERA Act, the Authority hereby imposes a penalty of Rs. 20 lacs in accordance with Section 59(1) of the Act.
7. 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.
8. The matter, as detailed above, points to financial irregularities committed by the respondents through the sale of plots and offer of sale of plot to potential buyers based on false identity, i.e. misusing of the RERA Agent certificate by masquerading themselves as promoters. The Authority directs the office to forward a copy of this order, along with all available evidence on record against the respondent, to the Enforcement Directorate Govt. of India and Economic Offences Unit, Bihar. They may, if they deem fit, consider an enquiry into the transactions carried out by the respondents, (given the possibility of misappropriation of funds, which might have taken place and which may require a deeper investigation).

With these observations and directions, the matter is disposed of.

Sd/-
(Vivek Kumar Singh)
Chairman