

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

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

**RERA/SM/696/2025**

**Authorised Representative of RERA** .....**Complainant**

**Vs**

**M/s Bhavya Construction Pvt Ltd.** ..... **Respondent**

**Project: Bhavya Iconic Tower**

**Present: For Complainant: Ms Ojaswi Ishani, Advocate**  
**For Respondent: Mr Shreyas Goyal, Advocate**

**13/05/2026**

**ORDER**

1. Hearing taken up Ms. Ojaswi Ishani, learned counsel for the complainant/ Authority is present. Mr. Shreyas Goyal, learned counsel for the respondent is also present.
2. The present proceeding has been initiated against the respondent-promoter under Section 35 and Section 59 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as "the Act"), for the non-registration of the Project "Bhavya Iconic Tower". Accordingly, a preliminary notice dated 15-11-2024 was issued to the respondent by registering a suo-motu case, seeking an explanation by a subsequent show cause notice on 01-04-2025.
3. The aforementioned case was initiated on account of the fact that the construction of the impugned project continued unabated despite the rejection of registration application and issuance of *Form-D* issued in relation to the above-mentioned project, which was applied for registration. It was revealed that the project was being developed by the respondent, which *prima facie* indicates that, in contravention of the provisions of Section 3 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as "the Act"), the respondent has been promoting the

instant project and inviting potential buyers without obtaining the requisite registration as mandated under the Real Estate (Regulation and Development) Act, 2016.

4. The Learned Legal representative of the Authority submits that in proceeding dated 20.01.2026, the bench directed for inspection of site, Pursuant to the inspection conducted by a team of the Authority, it has been reported by the team that the project is fully constructed and operational and several Commercial Establishments are functioning in the building including L&T Finance, BBQ Company, Golddozo Gym and More. Photograph of the project has been attached which demonstrate that the project is in completed stage.
5. The respondent has stated that the project was earlier applied for registration on 12.04.2019. However, the said application was rejected on 11.03.2022 owing to some defects found in certain documents as envisaged under the provisions of the Real Estate (Regulation and Development) Act, 2016 (“the Act”) and the Rules framed thereunder.
6. The learned counsel for the Respondent submits that the impugned project “Bhavya Iconic Tower” has been developed entirely through the personal funds, income, and resources of the Respondent company and bank loans. It was further contended that the Respondent company has not received, at any stage, any funds from any person or entity in connection with the booking, execution of agreements to sell, or execution of sale deeds pertaining to any unit or space within the said project. For the same the respondent has submitted an CA certificate dated 22.11.2025 certifying that the company has not sold any unit of the project and that entire money utilised for construction of the

project has been spent from own resource or that no booking or allotment of any unit of the building has been made.

7. It was further submitted that “Bhavya Iconic Tower” is a building comprising Ground plus Seven (G+7) floors, the ownership of which is divided between the Respondent and the respective landowners. Out of the aforementioned floors, the seventh floor remains unoccupied and Floor 4<sup>th</sup> and 5<sup>th</sup> has been handed over to landowner, whereas the remaining portions are presently occupied by third parties under lease or leave-and-license arrangements for which the respondent have submitted rent agreement of each floor to substantiate their stance. In support of the plea above the respondent company has furnished the below listed information.

|                                                                                      |                        |                      |
|--------------------------------------------------------------------------------------|------------------------|----------------------|
| Ground floor, 1 <sup>st</sup> Floor, 2 <sup>nd</sup> floor and 3 <sup>rd</sup> floor | Praxis Home Retail Ltd | Leased on 10.08.2022 |
| (Landowner share) 4 <sup>th</sup> Floor                                              | Golddozo Gym           | 24.08.2022           |
| (Landowner share) 5 <sup>th</sup> Floor                                              | Barbeque Restaurant    | 03.07.2024           |
| 6 <sup>th</sup> Floor                                                                | L&T Finance Ltd        | 08.08.2024           |
| 7 <sup>th</sup> Floor                                                                | Vacant                 | -                    |

8. Furthermore, the respondent company through its director Manoj Kumar has submitted an affidavit dated 19.01.2026 affirming that it has not sold or advertised offer to sell any flats, shops, or any part of the establishments within the project in question. Along with this, the company has provided the Tax Audit Reports for the assessment years 2014-2015 till 2019-2020, as well as other

relevant documents sought by this bench. Upon review, these submissions have been found satisfactory and are sufficient to support the respondent's claims.

9. The learned legal representative for the Authority-Complainant submits that the respondent had earlier applied for registration of the impugned project, which got rejected. Thereafter, a Technical Team from the RERA authority visited the project site and submitted its report.
10. She further submits that upon verification of the online platforms, no advertisement pertaining to the impugned project of the respondent company was found regarding sale of the same. It is also submitted that as per the technical team's report explicitly mentions that the project is completely constructed and functional; However, the report does not mention display of any notice board and any kind of display for sale has not been found at the site during the inspection.
11. After perusing the material placed on record and considering the submissions of both the parties, it is clear that though the project was earlier applied for registration with the Authority but later on it has been developed out of the own resource of the respondent and also no advertisement has been found at the work site or on online platform which could establish contravention of section 3 of the Real Estate (Regulation and development) Act 2016.
12. This bench therefore observes that the present Suo Motu proceeding initiated under Sections 35 & 59 of the Real Estate (Regulation & Development) Act 2016 vide show- cause notice dated 01-04-2025 and further reminder notice dated 28.01.2025 against the respondent for violation of section 3 of the Real Estate (Regulation & Development) Act 2016 against the Project

“Bhavya Iconic Tower” is devoid of merit and thus fit to be dropped.

13. This Bench observes that there may be a possibility of the promoter moving to the registry office concerned for getting any unit of the impugned project registered with an objective of executing an absolute sale deed of the same without getting it registered from RERA. The bench therefore requests the I.G. Registration, Bihar for issuing necessary instructions to all the concerned DSRs / Sub-Registrars to impose a complete ban on execution of absolute sale deed of any unit (flat/shop/part thereof) pertaining to the said project “Bhavya Iconic Tower” by the respondent company and its directors unless a proper registration of the said project is granted by RERA.
14. The Promoter is hereby directed to file an application for registration of the impugned project with the Real Estate Regulatory Authority in accordance with the provisions of the Real Estate (Regulation and Development) Act, 2016 prior to advertising the project for sale or executing any sale deed in respect thereof. The Promoter is further restrained from offering for sale or selling any flat, shop, or any part thereof in the said project until the requisite registration under the Act is duly obtained.
15. The office is directed to take necessary action for implementation of the above directions.
16. With the observations and directions this case is accordingly disposed of.

Sd/-  
(Sanjaya Kumar Singh)  
Inquiry Commissioner,  
RERA, Bihar