

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Bench of Special Presiding Officer,**

**Mr. Ved Prakash, RERA, Bihar**

**Case No: RERA/SM/772/2025**

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

**...Complainant**

**Versus**

**Plotted Development by Sri Prabhas Chandra Jha**

**S/o Jalandhar Jha R/o Balori, Purnia East. Nagar Nigam-1B,**

**Thana No.107, Purina -854326**

**...Respondents**

**Project –N/A**

**Present: For Authority: Mr. Ankit Kumar , Legal representative .**

**For Respondent: Absent.**

**18.12.2025**

**ORDER**

1. The matter was taken up. Learned legal representative for the Authority is present, but the respondent/his representative has not taken pain to appear before the Bench/Authority to defend the allegations leveled against him despite several notices and publications through Hindustan and Times of India Daily News Paper published on 18.09.2025. Hence Bench has no option, but to treat the deemed service on the respondent promoter for the enquiry and passing of the final order against the respondent.
2. The Real Estate Regulatory Authority, Bihar issued a Suo Motu show-cause notice on 04.08.2025 against the respondent for committing contravention of provisions of section 3 of the Real Estate (Regulation & Development) Act 2016 by advertising and taking bookings in the project –N/A without prior registration with RERA, Bihar. The

promoter was directed to show cause as to why proceedings under Sections 35& 59(1) of the Real Estate (Regulation & Development) Act 2016 may not be initiated against him for Plotted Development in District- Purnia without prior registration with the RERA , Bihar.

3. Learned legal representative for the Authority submits that a team of RERA conducted an inspection in accordance with office order RERA/Admin/30/2025-1135 in Purnia and its adjoining areas falling within the planning area of Purnia Municipal Corporation and during the course of inspection, it was observed that several plotted developments in form of project in violation of the provisions of Section 3 RERA Act 2016 were under taken by developer by advertising, sale, and developmental activities without obtaining prior mandatory registration with the Authority.
4. Learned legal representative further submits that Sri Prabhas Chander Jha S/o Jalandhar Jha R/o Balori, Purnia East Nagar Nigam-1B Thana No. 107, Purnia-854326 without registration of the project –N/A having land Area 2 Acres 6.846 Decimal/27388 Square Meter in Thana No.107, KhataNo.1, Plot No.184,178,179 executed sale deeds in favour of the allottees. He further submits that the sellers/ buyers have not only constructed boundary walls, but also, they have left spaces as per their deeds for roads between the plots.
5. Learned counsel for the Authority further submits that not only the respondent promoter has executed sale deeds with respect to several plots in the project, but also supported the mutations in favour of the allottees in utter violations of RERA Act 2016 and other relevant laws. Learned representative has filed the photocopy of Jamabandi of Several buyers Namely Dr.Md.Shafique Alam, Kashif Quamar, Shabab Anwar, Mallik Mohammad Azam, Bibi Nagma Zia, Pravez Jafar, Md Salam Shah, Abdul Gaffar, Md Huassain Bharti, Md

Naushad Alam ,Md Afroz Sabbir Ahmad, Md.Sabir Alam, Md Hasan Raza, Md Imtiyaz Ahmad, with respect to the land situated at Mauza-Balori, Purnia East Nagar Niga -1B,Thana No.107,Purnia 854326 in Khata No.1 Khasra No.184,178,179. He further submits the land owner Sri Prabhas Chander Jha has executed sale deeds in favour of these allottees, who have got their names muted in the above land. Hence it is established that the respondent has developed and sold the land of the project N/A without prior registration with the Authority and he is liable for the penalty under section 59(1) for violations of the provisions of Section 3 of RERA Act 2016.

6. Heard and perused the record.
7. As per first proviso of Section 3 of the Act 2016 all the ongoing real estate projects were required to register by 31st July, 2017 with the Real Estate Regulatory Authority, Bihar. Further, Section 3 of the Act provides that no promoter can advertise, market, book, sell or offer for sale or invite persons to purchase in any manner any plot, apartment or building as the case may be, in any real estate project or part of it, in any planning area within a State, without registering the real estate project with the Real Estate Regulatory Authority (RERA) established under this Act.
8. The Bench notes that the respondent promoter Sri Prabhas Chander Jha S/o Jalandhar Jha had land area 2 Acres 6.846 Decimals /27388 Square Meter in Tauzi No.8/5, Thana No.107 ,Khata No.1 Khasra No. 184,178,179 situated at Mauza -Balori, Sub Division- Purnia , Anchal- Sadar, East, District- Purnia and he has developed the land .The photograph of the site produced by the legal representative shows that on offer of sale by the promoter Sri Prabhas Chander Jha , the buyers purchased the land in plots from the respondent and constructed the boundary walls thereto.

9. The photographs further show that the promoter has left roads between the plots and development has been done without compliance of provisions of RERA Act 2016, Municipal laws and other relevant Acts. It further appears that the respondent has got the electric poles on the site of the project, which is a clear evidence to support that the respondent delivered land in plots to the allottees without proper compliance of law.
10. The Bench/Authority observes from the available evidence on record that the promoter has executed several sale deeds in favour of the purchases and thereafter the buyers got mutated the purchased land in their names. Photocopy of Jamabandi register shows that buyers Dr.Md Shafique Alam and others have got sale deeds executed from the above land owner and have also got mutated their names in Khata No.1 Khasra No.179,178,184 Situated in Mauza- Balori Sub Division –Purnia Sadar Anchal-Purnia East Thana --107, District- Purnia. Hence Bench observes from the advertisements, site photograph, Jamabandi register placed on the record that promoter has not only advertised/booked land /plots in favour of buyers/allottees, but also executed sale deeds in favour of these buyers in this project without prior registration of the project –N/A with RERA Bihar.
11. Therefore, in the light of observations made above, it is established that respondent promoter has not only advertised project namely N/A, but also executed sale deeds, supported the said sale deeds in mutation proceedings and developed the site of project without prior registration with the Real Estate Regulatory Authority, Bihar and thereby contravened the provisions of Section 3 of the Real Estate (Regulation and Development) Act, 2016. Accordingly, the respondent is liable to pay penalty under Section 59(1) Of RERA Act 2016.

12. The area of the project land is 2 Acre 6.846 Decimal. The applicable circle rate of the said land/project is ₹4,50,000 per decimal. Accordingly, the total value of the land, calculated at the prevailing circle rate, comes to ₹9,27,00,000/-.
13. Hence, the Bench imposes penalty of Rs. 10,00,000, (Ten lakh) under the provisions of Section 59(1) of the RERA Act, 2016 against the respondent/ promoter, which is less than 1.5% of the total estimated cost of the project. This amount has to be paid by the respondent within sixty days of this order. Non-compliance with this directive will result in an action under Section 59(2) of the RERA Act, 2016.

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

Sd/-  
**(Ved Prakash)**  
**Special Presiding Officer**  
**RERA, Bihar**