

**REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Single Bench of Mrs. Nupur Banerjee, Member**

**Case No: RERA/SM/99/2018**

**Authorized Representative of RERA**

**...Complainant**

**Versus**

**M/s. Grih Vatika Homes Pvt. Ltd.**

**...Respondent**

**Project: VIP Residency, Ambika Vihar, VIP Bungalows, Pushp Vatika**

**02-07-2024**

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**25-07-2024**

**ORDER**

The Real Estate Regulatory Authority, Bihar issued a Suo Motu show- cause notice on 12-06-2018 to the respondent company for contravention of section 3 of the Real Estate (Regulation & Development) Act 2016 by advertising and taking booking in the project VIP Residency, Ambika Vihar, VIP Bungalows, Pushp Vatika without registering the project with RERA, Bihar. The promoters were directed to show cause as to why proceedings under Sections 35 & 59 of the Real Estate (Regulation & Development) Act 2016 may not be initiated against them.

The respondent has filed reply stating therein that project - VIP Residency is a registered project. The respondent company has not done any of the project named Ambika Vihar and VIP Bungalow.

Push Vatika is a registered project and the respondent has already paid an penalty of Rs. 3,10,118.90/-.

The Authority notes that technical wing of RERA has submitted its report dated 03-07-2023.

The Authority takes note that under the first proviso of Section 3 of the Act, 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 projector 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.

The term Advertisement has been defined in the section 2 (b) of the Act as follows: “Advertisement means any document described or issued as advertisement through any medium and includes any notice, circular or other documents or publicity in any form, informing persons about a real estate project, or offering for sale of a plot, building or apartment or inviting persons to purchase in any manner such plot, building or apartment or to make advances or deposits for such purposes.”

Taking note that after issuance of suo motu notice, they have applied for registration of the project - Push Vatika by paying registration charge along with late fees and the fact that the project has since been completed, the Authority directs that the amount

taken as late fees be treated as penalty and deposited in the appropriate account.

With this direction, the matter is disposed of.

**Sd/-  
Nupur Banerjee  
Member**