

# **REAL ESTATE REGULATORY AUTHORITY, BIHAR**

**Before the Bench of Mr. Naveen Verma, Chairman &  
Mrs. Nupur Banerjee, Member**

**Case No. RERA/PRO/REG.1286/2020**

Authorized Representative of RERA

v.

Manakamana Infraprojects Pvt. Ltd.

**Project – SHIVAM MANAKAMANA HEIGHTS**

**HEARING THROUGH VIDEO CONFERENCING**

## **ORDER**

07-01-2022

Hearing taken up under section 5 (1) (b) of the Real Estate (Regulation and Development) Act, 2016, for rejection of the application for registration of the project 'SHIVAM MANAKAMANA HEIGHTS'.

Real Estate Regulatory Authority, Bihar issued a show-cause notice to Manakamana Infraprojects Pvt. Ltd. through its Legal Advisor, Mr. Manoj Kumar Singh, on 24.12.2021 as to why the application for registration of the Project SHIVAM MANAKAMANA HEIGHTS, filed by the company with the Real Estate Regulatory Authority (RERA), Bihar, on 03.09.2020, should not be rejected under Section 5 (1) (b) of the Real Estate (Regulation & Development) Act, 2016. The ground for rejection were that the applicant failed to furnish legible copy of map approved by the competent authority, details of the earmarked account in the name of the project, details of the project done by the promoter in last five years and CA certificate and clarification with respect to the advances received in the financial year 2017-18 & 2018-19 as shown in the note-7, under the headings of advances from customer.

Mr. Manoj Kumar Singh, Learned Counsel appeared and stated that his details had been entered on behalf of the promoter. He placed before the Bench that he was unable to contact the Director of the respondent company but the landowner of the

concerned project informed him that no work has started till date and the project would not be further carried on.

However, Authorised Representative of RERA placed before the Bench that Notice of Hearing has already been sent on the official email id of the Director of the company on 30.09.2020.

The Authority took note of the fact that promoter has made an application for registration of the Project SHIVAM MANAKAMANA HEIGHTS, before the Real Estate Regulatory Authority (RERA), Bihar, on 03.09.2020. Since, the promoter did not submit the requisite documents as stipulated under the Section 4 of the Real Estate (Regulation and Development) Act 2016 and Rule 3 of the Bihar Real Estate (Regulation and Development) Rules 2017, therefore, notice was served to him on 11.09.2020, to submit details of the earmarked Bank Account in the name of the Project, CA certificate and clarification with respect to the advances received in the financial year 2017-18 & 2018-19 as shown in the note – 7, under the headings of advances from customer, legible copy of map approved by the competent authority. As no reply was received from the promoter, reminder notice was sent on 13.09.2021, but again promoter failed to submit any piece of paper in this regard. Another Notice was served to him on 24.12.2021 for appearing before the Authority on 07.01.2022, but he is not present in the hearing.

The Bench took note of the fact that the promoter has not submitted the requisite documents, despite repeated reminders and failed to appear before the Authority on the assigned date. The application for registration of SHIVAM MANAKAMANA HEIGHTS project, therefore, stands rejected as the promoter has failed to submit the requisite documents with the Authority as stipulated under Section 4 of the Real Estate (Regulation and Development) Act, 2016 and Rule 3 of the Bihar Real Estate (Regulation and Development) Rules, 2017, with the liberty that promoter may apply again for the registration of same project in future along with requisite documents and no fees would be charged if the application is made within three months.

Sd/-

**Nupur Banerjee**  
(Member)

Sd/-

**Naveen Verma**  
(Chairman)