

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Single Bench of Mr. Ved Prakash,
Special Presiding Officer

Case No: RERA/SM/368/2019

Authorised Representative of RERA

...Complainant

Versus

M/s. Azam Construction & Developers Pvt. Ltd.

...Respondent

Project: Azam Residency Near Patna AIIMS

Present: For Authority : Shri Ankit Kumar, Advocate.

For Respondent: Shri Sharad Sekhar, Advocate.

16.01.2025

ORDER

1. The Real Estate Regulatory Authority, Bihar, issued a suo motu show-cause notice on 07.02.2019 to the Director of the respondent company for contravening Section 3 of the Real Estate (Regulation & Development) Act, 2016, regarding the project "Azam Residency Near Patna AIIMS," for not registering the project with RERA, Bihar. The promoter was directed to show cause as to why proceedings under Section 59 of the Real Estate (Regulation & Development) Act, 2016, should not be initiated against them.
2. The records were perused, and the promoter submitted a reply dated 28.11.2024, stating that the project named Azam Residency had not updated the project name on the company website prior to the submission of the RERA registration application. The actual name of the project in question is Shibli Enclave, which is registered with RERA along with a fine of Rs. 7 lakhs. It was further submitted that the location of the project mentioned in the advertisement (i.e., near AIIMS Patna) is the same as that of Shibli Enclave. The respondent also submitted that they had already handed over physical possession of the flats to the respective buyers in 2020, with all amenities provided.
3. The technical team of RERA visited the site and submitted a report dated 15.01.2024, stating that the project named Azam

Residency was not found anywhere near the Azam Group building and upon enquiry from the respondent the promoter explained that the Azam Residency is Shibili Enclave.

4. Upon reviewing the records and considering the facts and circumstances, the Authority observes that Azam Residency and Shibli Enclave are same, and that the project Shibli Enclave is already registered with RERA. Furthermore, the respondent company has already paid a penalty of Rs. 7 lakhs as late fees at the time of registration of the project.
5. In light of the above observations, it was concluded that no violation of Section 3 of the RERA Act, 2016, has been established against the respondent.

With these observations, the matter is disposed of.

Sd/-
Ved Prakash
Special Presiding Officer