

REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

Case No. RERA/SM/532/2022

Authorised Representative of RERA.....Complainant

Vs

M/s Jeevan Engicon Pvt. Ltd.Respondent

Project: (1) Green Lotus Tower (2) Jeevan Enclave

**Present: For Complainant: Mr. Jainandra Kumar, L.R.
For Respondent: Ms. Vibha Verma, Advocate**

04/08/2022

PROCEEDING

Hearing taken up. Both the parties are present.

On the basis of the information received by the Authority, a notice was issued to the promoter regarding two projects, namely, Lotus Tower and Jeevan Enclave as they have allegedly made advertisement for the projects without getting the project registered in violation of Section 3 of the Act.

Ms. Vibha Verma, Advocate appears on behalf of the promoter.

She refers to the reply sent by the promoter in which it is mentioned that there is no project titled Jeevan Enclave project . The notice apparently refers to the project Bhumi Enclave but the land is less than 500 square metres and the total number of flats is six. She has submitted a copy of the sale deed within the land area mentioned as Bhumi Enclave. She has also filed a copy of the approved map by the competent authority of six flats.

Hence ,the Authority accepts the submission of the promoter that the project Jeevan Enclave (Bhumi Enclave) does not come within the purview of the RERA Act, 2016.

In so far as the notice for the project Lotus Tower is concerned, the promoter has replied that they have not displayed any hoarding nor have taken any advance or made any booking. They admit that Bhumi Pujan was organized but that does not tantamount to advertisement. Learned counsel for the promoter submits that the map has not been passed.

Learned counsel for the Authority draws the attention of the Bench towards the invitation of the Bhumi Pujan in which brochure of Green Lotus Tower was included.

Learned counsel for the Authority submits that directions to the promoter may be issued to produce the statement of accounts of the company and personal statements of the Directors for last three years to confirm whether they have taken any advance against this project. .

The promoter is directed to submit the accounts statement of the company and the Directors for last three years along with the report of the Chartered Accountant that no booking has been taken. They would also submit the estimated cost of the project Lotus Tower.

Put up this matter on 22.09.2022.

Sd/-

Nupur Banerjee
Member

Sd/-

Naveen Verma
Chairman