



REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Single Bench of Hon'ble Chairman Mr. Vivek Kumar Singh, RERA,
Bihar.

RERA/SM/590/2023

Authorised Representative of RERA

.... Complainant

Vs

M/s Besto Dream City Pvt. Ltd.

.... Respondent

Project: **BESTOW DREAM CITY**

Present: For Complainant: Mr. Rishikesh Rajan, Authorised
representative of RERA.

For Respondent: Mr. Quamar Raja, Advocate

09-10-2025

ORDER

1. Hearing taken up. Mr. Rishikesh Rajan, Authorised representative appears on behalf of the complainant. Learned counsel Mr. Quamar Raja appears on behalf of the respondent.
2. The present proceeding has been initiated suo motu against the respondent by the Authority vide notice dated 09.05.2023 for the project Bestow Dream City and notice was issued as to why proceedings under Section 35 and Section 59 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as "the Act"). Thereafter, the case was first heard on 28.12.2023.
3. The case was initiated based on material available on record which indicated prima facie contravention of the provisions of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as "the Act"). The evidence produced against the respondent for the violation of Section 3 of the Act includes brochure, advertisement on various intermediaries platform etc.
4. The case pertains to the project named as Bestow Dream City which has been advertised by the respondents. As per records and the technical report dated 05.05.2024, a total area of land measuring 10,88,800 sq. ft. situated at, Naubatpur, Bhadsara, Bihar-801104 was advertised.
5. The Legal Representative of the Authority submitted that, based on the advertisements placed on record, the respondent-promoter has violated Section 3 of the Real Estate (Regulation and Development) Act, 2016 ("the Act") by failing to register the project with the Authority. The said advertisements and brochures were widely circulated across various platforms without obtaining prior

registration of the project, thereby indicating a deliberate intent to mislead potential buyers for economic gain and undue advantage.

6. Learned counsel for the respondent initially filed their reply dated 14.07.2025 wherein the respondent submitted that the respondent is a RERA registered agent and that the respondent is not associated with the project. On the date of hearing, the counsel for the respondent has admitted the fact on behalf of the respondent company that the project was initiated by the respondent company. The counsel for the respondent further submitted that the respondent company had no intention to breach the provision of the Act and the advertisement published without registration of the project was a bonafide mistake.
7. Perused the record. It has been observed that the respondent has indulged in the advertisement, marketing, and sale of units pertaining to a real estate project, without obtaining mandatory registration of the said project as required under Section 3(1) of the Act. The evidences available on record including the brochure of the project and pamphlet issued by the respondent company for the said project.
8. The Authority observes that the conduct of the respondent constitutes a blatant violation of the Act. The failure to register the project before promoting or offering it for sale undermines the objectives of the Act and prejudices the interests of allottees. Both the fact cumulatively establishes the violation of Section 3 of the Act by the respondent with respect to the project in question.
9. The Authority has heard both the parties and it is evident from the record of the case that the case pertains to 2023 and at this juncture, the respondent cannot plead ignorance of law.
10. There appears to be no reason to delay the matter further. Therefore, the Authority is constrained to pass order considering the evidence on record and technical report.
11. It is important to observe that the fact that the respondent has accepted its mistake, the Authority adopts a liberal approach and, thereby, a penalty of Rs.5 Lakh is imposed upon the respondent under Section 59(1) of the Act.
12. The penalty amount of Rs. 5 lakh, as mentioned above, shall be paid by the respondent company within sixty (60) days from the date of issuance of this order. Failure to comply with this direction will attract further action under Section 59(2) of the Real Estate Regulation and Development) Act, 2016.
13. The Authority further directs the office to issue a letter to the I.G. Registration, Bihar to issue letter to all the concerned DSRs / Sub-Registrars of Patna to impose a blanket ban on execution of sale deed for the project by the respondent company and its Directors

along with the copy of the advertisement and detail of the company and its Director's.

14. The Authority further directs the Circle Officer of the concerned Anchal not to mutate any land pertaining to the said project by the respondent company and its Directors along with the copy of the advertisement and detail of the company and its Director's.
15. The Authority further directs the respondents to remove all the advertisements of the projects mentioned above from all mediums within a fortnight.
16. The Authority directs the office to forward a copy of this order, along with all available evidence on record against the respondent, to the Enforcement Directorate Govt. of India and Economic Offences Unit, Bihar for information and necessary action.

With the above direction, this matter is disposed of.

Sd/-

(Vivek Kumar Singh)

Chairman