

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Bench of Special Presiding Officer,
Mr. Ved Prakash, RERA, Bihar
Case No: RERA/STV/07/2026

Authorised Representative of RERA

...Complainant

Versus

Sanchay Properties

...Respondent

Project: Sanchay Properties Plot

Present: For Authority: Mr. Ankit Kumar, Legal representative.

For Respondent: None

10.08.2026

ORDER

1. The matter was taken up. Learned Legal Representative for the Authority is present. None appears on behalf of the respondent.
2. The Real Estate Regulatory Authority, Bihar issued a Section Three Violation Notice dated 12.05.2026 to the respondent for committing contravention of provisions of Section 3 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as “the Act”) on the ground that the respondent had advertised the project namely “Sanchay Properties Plot” without obtaining registration of the project with the Authority. The respondent was accordingly called upon to show cause as to why proceedings under Sections 35 and 59(1) of the Act may not be initiated for contravention of Section 3 of the Act.
3. It is further submitted that, in order to provide adequate opportunity to the respondent to appear and explain his position, a notice dated 10.06.2026 was issued to the respondent. However, despite service of the said notice, the respondent failed to appear before the Authority. Thereafter, a reminder dated 15.07.2026 was also issued, providing another opportunity to the respondent to appear and place his defence on record. Despite the said reminder, the respondent

neither appeared before the Authority nor filed any reply or material in his defence.

4. In view of the repeated opportunities granted to the respondent and his failure to appear or place any defence on record, the Bench/Authority finds that the respondent has chosen not to contest the proceedings and controvert the allegations alleged against them. Accordingly, the matter is being proceeded with ex parte against the respondent on the basis of the materials available on record.
5. Learned Legal Representative for the Authority submits that the respondent-promoter had advertised the aforesaid project on Facebook as well as on his website, namely “sanchayproperties.in”, without obtaining registration with the Authority. It is, therefore, submitted that the respondent had contravened the mandatory requirement contained in Section 3(1) of the Act, which prohibits a promoter from advertising, marketing, booking, selling or offering for sale any apartment, plot or building in a real estate project without first registering the project with the Real Estate Regulatory Authority.
6. The Bench/Authority considered the submissions made by the learned Legal Representative and perused the materials available on record, including the inspection report dated 27.07.2026 conducted by Techno Legal Team and the materials relating to the advertisements of the project placed on the record.
7. From the materials available on record, it is established that the respondent had advertised the project “Sanchay Properties Plot” through Facebook and on his website “sanchayproperties.in” without obtaining registration of the project with the Authority. Such advertisement of a real estate project prior to obtaining registration is expressly prohibited under Section 3(1) of the Act.
8. Section 3(1) of the Act mandates that no promoter shall advertise, market, book, sell or offer for sale any apartment, plot or building

in any real estate project or part of it, in any planning area, without registering the real estate project with the Real Estate Regulatory Authority. The provision is mandatory in nature, and therefore, the act of advertising an unregistered real estate project constitutes a contravention of Section 3(1) of the Act.

9. It is also relevant to note that, despite being afforded repeated opportunities to explain the circumstances and rebut the allegations, the respondent neither appeared before the Authority nor filed any reply. The allegations contained in the show cause notice, therefore, remain unrebutted. Accordingly, the violation of Section 3(1) of the Act stands established on the basis of the materials available on record.
10. As regards the quantum of penalty, the inspection report dated 27.07.2026 shows the total estimated cost of the project as ₹3,81,08,000/- (Rupees Three Crore Eighty-One Lakh Eight Thousand only). Under Section 59(1) of the Act, where any promoter contravenes the provisions of Section 3, the Authority may impose a penalty which may extend up to ten per cent of the estimated cost of the real estate project.
11. In the present case, ten per cent of the estimated project cost of ₹3,81,08,000/- comes to ₹38,10,800/- (Rupees Thirty-Eight Lakh Ten Thousand Eight Hundred only). Considering the nature and gravity of the violation, the fact that the respondent advertised the project through social media and his website without obtaining registration, and the statutory ceiling prescribed under Section 59(1) of the Act, the Bench/Authority considers it appropriate to impose a penalty of ₹15,00,000/- (Rupees Fifteen Lakh only) upon the respondent.
12. Accordingly, in exercise of the powers conferred under Section 59(1) read with Section 3(1) of the Real Estate (Regulation and Development) Act, 2016, the Authority hereby imposes a penalty of

₹15,00,000/- (Rupees Fifteen Lakh only) against the respondent-promoter for contravention of Section 3(1) of the Act.

13. The respondent is directed to deposit the aforesaid penalty amount of ₹15, 00,000/- (Rupees Fifteen Lakh only) with the Real Estate Regulatory Authority, Bihar within 60 days from the date of the order.
14. The respondent is further directed to immediately cease and desist from advertising, marketing, booking, selling or offering for sale any apartment, plot or building in the said project except in accordance with the provisions of Section 3 and other applicable provisions of the Act and after obtaining requisite registration from the Authority.
15. The respondent shall ensure strict compliance with the provisions of the Real Estate (Regulation and Development) Act, 2016, the Bihar Real Estate (Regulation and Development) Rules, 2017 and the Regulations framed thereunder.
16. In case of failure to comply with the directions contained in this order, the Bench/Authority shall be at liberty to initiate appropriate proceedings in accordance with the provisions of the Act.
17. Accordingly, the present proceeding is disposed of ex parte in the aforesaid terms.

With these observations, this case is disposed of.

Sd/-

(Ved Prakash)
Special Presiding Officer
RERA, Bihar
10.08.2026