



**REAL ESTATE REGULATORY AUTHORITY, BIHAR**  
**Before the Single Bench of Hon'ble Chairman, Mr.**  
**Vivek Kumar Singh,**  
**RERA Bihar.**

RERA/SM/598/2023

Authorised Representative of RERA..... Complainant

Vs.

M/s Kumar Kartikey Construction Pvt. Ltd... Respondent

**Project:-SUMITRA HEIGHTS**

**ORDER**

**14.11.2024**

1. Hearing taken up. Mr. Rishikesh Rajan, LR, appears for the complainant. The respondent is absent.

2. This case was initiated against the project "Sumitra Heights" which was advertised and bookings were made by the respondent M/s Kumar Kartikey Construction Pvt. Ltd. A *suo motu* notice was issued to the respondent on 14.06.2023 to show cause as to why proceedings under Sections 35 & 59(1) of the Real Estate (Regulation and Development) Act, 2016 (in short, the RERA Act, 2016) be not initiated against the company and its Directors/official for non-compliance of the provisions of Section 3 of the RERA Act, 2016.

3. In the last proceeding dated 29.08.2024 the Authority directed the office to issue notice to the respondent to appear on the next date of hearing, failing which an order would be passed on the basis of material available on the record and in compliance thereof the office issued notice on 09.09.2024 but today neither the respondent has appeared nor filed reply. The Authority also notes



that despite several opportunity given to the respondent on 21-06-2023, 24-08-2023, 03-11-2023 and 25-04-2024, the respondent failed to appear or file his reply. Consequently, the Authority is left with no option to dispose of this case on the basis of material available on record.

4. In view of the documents on record, it is evident that the advertisement with regard to the project “Sumitra Heights” was made by M/s Kumar Kartikey Construction Pvt. Ltd. It is established that the respondent company has contravened the provisions of Section 3 of the RERA Act, 2016 by not registering the project with the Real Estate Regulatory Authority, Bihar. Hence, the Authority is levying a penalty of Rs.10,00,000/- upon the promoter, namely, M/s Kumar Kartikey Construction Pvt. Ltd., as per Section 59(1) of the RERA Act, 2016. The Authority directs the respondent company and its Director Mr. Dhananjay Kumar, Mr. Lakhan Deo Prasad and Mr. Anil Kumar Singh to pay the penalty amount within 60 days and to get the project registered with RERA Bihar. The Authority further directs the respondent to remove all the advertisement of the project namely “Sumitra Heights” from all media within fortnight.

5. The respondent – promoter namely M/s Kumar Kartikey Construction Pvt. Ltd. is directed to comply with the order within 60 days, failing which further action under Section 59(2) of the RERA Act, 2016 would be taken against the promoter.

6. The Authority directs the office to issue a letter to the I.G. Registration, Bihar to issue letter to all the concerned DSRS's / Sub-Registrars of Patna /



Phulwari Sharif to impose blanket ban on registration of sale deed for the project namely “Sumitra Heights” of the respondent - M/s Kumar Kartikey Construction Pvt. Ltd.

7. The matter is, accordingly, disposed of.

**Sd/-**

**(Vivek Kumar Singh)**

**Chairman**