



REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Single Bench of Hon'ble Chairman, Mr.

Vivek Kumar Singh,

RERA Bihar

RERA/SM/630/2024

Authorised Representative of RERA..... Complainant

Vs.

M/s Gita Vihar Developers Pvt. Ltd..... Respondent

Project:- GITA VIHAR COLONY

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 "Gita Vihar Colony", which was advertised and bookings were made by the respondent M/s Gita Vihar Developers Pvt. Ltd. A notice was issued to the respondent on 16.02.2024 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 summons to the respondent through the Sr. S.P. Patna to be served with the help of local Police to the respondent for appearance and filing reply on the next date of hearing and in compliance thereof the office issued notice on 16.10.2024 but today neither the respondent has appeared nor filed reply. The Authority also notes that despite several



opportunities given to the respondent on 18-03-2024, 25-04-2024 and 04-06-2024, the respondent have failed to appear or file their 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 “Gita Vihar Colony” was made by M/s Gita Vihar Developers 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 Gita Vihar Developers Pvt. Ltd., as per Section 59(1) of the RERA Act, 2016. The Authority directs the respondent company and its Director Mr. Mukesh Kumar 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 advertisements of the project, namely “Gita Vihar Colony” from all media within fortnight.

5. The respondent – promoter namely M/s Gita Vihar Developers 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 Muzaffarpur to impose a blanket ban on execution of sale deed for the project namely “Gita Vihar



Colony” of the respondent - M/s Gita Vihar
Developers Pvt. Ltd.

7. The matter is, accordingly, disposed of.

Sd/-
(Vivek Kumar Singh)
Chairman