REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

RERA/SM/473/2021

Authorised Representative of RERA .... Complainant

Vs

M/s Utkarsh Static Ltd. ... Respondent

Project: **THE RESIDENCY CITY CENTRE, PATNA**

Present: For Complainant: Mr. Rishikesh Rajan, Legal Representative of RERA
For Respondents: Mr. Rakesh Kr. Samrendra, Advocate

29.07.2026 **PROCEEDING**

1. Hearing taken up. Learned legal representative Mr. Rishikesh Rajan appears on behalf of the complainant RERA. Learned counsel Mr. Rakesh Kumar Samrendra appears on behalf of the respondents.

2. On the previous date, learned legal representative of RERA has sought time to respond the submissions made by the respondents. Accordingly, he has come up with a supplementary rejoinder whereby he has mentioned that the advertisement issued by the respondents prior to procurement of temporary occupancy certificate comes under the definition of 'advertisement' under Section 2(b) of the Real Estate (Regulation and Development) Act, 2016. He further submits that any such advertisement issued for the purpose of convincing the prospective homebuyers without registering the commercial phase before RERA establishes the responsibility of the respondents.

3. Learned legal representative of RERA further submits that a person investing in a commercial real estate project cannot be excluded from the definition of 'allottee' as provided in Section 2(b) of the Act, 2026.

4. A copy of the supplementary rejoinder has been furnished to learned counsel for the respondents in Court. He is advised to submit a reply to the same before the next date of hearing.

Put up for hearing on 02.09.2026.

Sd/-
(Vivek Kumar Singh)
Chairman