REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Inquiry Commissioner, RERA, Bihar, Mr. Sanjaya Kumar Singh.

RERAP303201800237-3

Authorised Representative of RERA .... Complainant

Versus

Ashiana Creators Pvt. Ltd. .... Respondent

Project: **ASHIANA HEIGHTS**

Present: For Complainant: Mr. Rishikesh Rajan, Legal Representative of RERA
For Respondent: Mr. Uma Shankar Kumar, Representative of the respondent-company

31.08.2026 **PROCEEDING**

1. Hearing under the provisions of Section 5(1)(b) of the Real Estate (Regulation and Development) Act, 2016 taken up today. Mr. Rishikesh Rajan, learned legal representative of RERA appears on behalf of the complainant-Authority. Mr. Uma Shankar Kumar, who is the Manager of the respondent-company and is authorized by the Director of the Applicant Company through an authorization letter, a copy of which has been submitted before this Bench. Let it be kept on record.

2. Mr. Rishikesh Rajan, legal representative of the complainant-Authority, submits that the present hearing is being conducted on account of non-rectification of deficiencies pertaining to two documents in the registration application which have not been submitted by the applicant-promoter. The details of deficient documents are as follows:-

(i) Documents related to the approval of the MCA for opening a branch office of the applicant company at Patna;
(ii) Amendment Fee of Rs.2000/- for addition of the address of the applicant company's registered office at Ranchi (401, COMMERCE TOWERS, OPP. – GELSHOPPING CENTRE MAIN ROAD, RANCHI, Jharkhand, India, 834001)

3. The authorized representative of the applicant-company submits that the required amendment fee of Rs.2000/- has been deposited through UPI on 31st August, 2026.

4. As regards the approval by the Ministry of Corporate Affairs for opening of the branch office at Patna, the authorized representative of the applicant-company submits that he has brought a clarification by the Director of the applicant company, Mr. Manas Kumar, who has submitted that as per the provisions of the Companies Act, there is no statutory requirement for domestic Indian companies to seek the approval of the Ministry of Corporate Affairs (MCA) or the Registrar of Companies (ROC) for opening a branch office. The said letter further states that a branch office can be opened by a Board's Resolution and in the present case also, a Board's Resolution has been passed on 20th June, 2016 by which it has been explicitly resolved regarding the declaration of opening of the branch office at Patna. He further submits that the Ministry of Corporate Affairs relates to only the registered office. However, GST registration certificate for the State of Bihar explicitly mentions the branch office details at Patna. The said letter states that while the requisite amendment fee has been deposited, the applicant-company is making a request for adding the company's office at Ranchi (401, COMMERCE TOWERS, OPP. – GELSHOPPING CENTRE MAIN ROAD, RANCHI, Jharkhand, India, 834001) in the RERA application form submitted by him.

5. A verbal communication was arranged by the authorized representative of the applicant-company over his telephone with the Director of the company Mr. Manas Kumar. Mr. Manas Kumar submitted during the course of hearing with the Bench that though he has paid the requisite amendment fee and has requested for addition of the registered office of the applicant company and has also submitted the details of GST registration certificate mentioning the address of his Patna Branch office. He assures that he shall look for any other details which have been submitted before the Ministry of Corporate Affairs in which details of the branch office has been mentioned. He further submitted that he shall also be filing an application with the MCA for addition of the details of the branch office along with the detailed address on the MCA portal pertaining to the applicant company. He requests for some more time to be given to him for the same.

6. On considering the request of the Director of the respondent-company, the Bench allows a time of seven days to be given to him for submitting the details. It is directed that the entire details, as referred to during the hearing

today, be uploaded online with reference to his application and also any further details, as assured today, should also be uploaded in the same manner.

7. The Scrutiny Team is directed to verify the submitted documents after a period of one week from today and accordingly, propose necessary action to be taken in this regard.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner
RERA, Bihar