

REAL ESTATE REGULATORY AUTHORITY, BIHAR

**Before the Bench of Hon'ble Inquiry Commissioner, Mr. Sanjaya Kumar Singh, RERA,
Bihar**

RERA/CC/01/2025

Anju Kumari

.....Complainant

Vs

M/s Ghar Lakshmi Buildcon Pvt. Ltd.

.....Respondent

Project: Ghar Lakshmi Milestone

**Present: For Complainant: Mr. Ishtiyaque Hussain, Advocate
For Respondent: None**

07/04/2026

ORDER

The matter was last heard on 11.03.2026 when Mr. Ishtiyaque Hussain, learned counsel had appeared on behalf of the complainant but none appeared on behalf of the respondent.

Learned counsel for the complainant has submitted that the complainant had booked a flat bearing Flat No.701 on 7th floor having an area of 1320 sq.ft. in the project 'Ghar Lakshmi Milestone' for a total consideration amount of Rs.11.00 lakh for which an allotment letter was issued to the complainant on 11.07.2019. Out of total consideration amount, the complainant has already paid Rs.3.70 lakh to the respondent through different modes. He further submitted that the respondent had assured the complainant that from the very next month the construction work would be started as the project has already been approved from RERA but the construction work has not been started till date. Therefore, the complainant has prayed for a direction to the respondent to refund the entire amount paid by the complainant along with interest @ 20% per annum from the date of payment till the date of actual refund along with compensation.

On perusal of the records it appears that the respondent has been absent on all the dates taken up for hearing before this court. It also appears that the respondent is a habitual defaulter as there are a number of cases pending before this court pertaining to various complaints filed by different allottees. On 11.03.2026 the respondent was given a final opportunity to file a written notes of argument but they have not bothered to file any written notes of argument till date. Hence, this matter cannot be kept pending for an indefinite period. This Bench therefore deems it appropriate to dispose of this case on the basis of the material available on record.

Perused the entire record of the case including the documents submitted by the complainant. On perusal of the record, it is observed that the complainant had booked a flat bearing Flat No.701 on 7th floor and had paid a total amount of Rs.3.70 lakh only out of a total consideration amount of Rs.11.00 lakh. Nevertheless, it is clear that the respondent has enjoyed full economic benefit out of the amount paid by the complainant to the respondent company for the entire period from the date of payment till the present day and he is, therefore,

liable to refund the entire amount along with due interest as per the provisions of law.

Thus, in light of the documents placed on record and submissions made therein and also considering the fact that the respondent has enjoyed the economic benefit of the amount paid by the complainant in lieu of booking of the alleged flat, this Bench hereby directs the respondent company and its Directors to refund the entire principal amount of Rs.3.70 lakh to the complainant along with interest @ 2% above the Marginal Cost of fund-based Lending Rate (MCLR) of State Bank of India as applicable for three years from the date of booking till the date of refund within sixty days of the date of issue of this order.

As regards claim for compensation is concerned, the complainant is at liberty to press the same before the A.O. (Adjudicating Officer) as per the provisions of the Real Estate (Regulation and Development) Act, 2016.

With these directions and observations, the matter is disposed of.

Sd/-
(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar