

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Bench of Mr.Ved Prakash,
Special Presiding Officer

RERA/CC/134/2025

Priyanka Sinha

....Complainant(s)

Vs

M/s Ghar Laxmi Buildcon Pvt. Ltd.

....Respondent

PROJECT- Ghar Laxmi Milestone

For the complainant:

Mr.Kishore Kunal (Adv.)

For the respondent:

None

07.08.2026

ORDER

Hearing is taken up. Shri Kishore Kunal, learned counsel on behalf of complainant is present, but none is present on behalf of respondent.

2. The learned counsel for the complaint submits that the complainant, on being allured by fanciful sale brochures, specifications details etc of the respondent on 11.01.2018 booked Flat no. 806, on 8th floor having built up area 1300 Square feet in Block –B of the project-Ghar Lakshmi Milestone, situated at Mauja-Painal, Thana no.70, Khata no. 607, 611, 588, Khesra Nos. 3881, 3882, 3889, 3880, 3878, District – Patna for a total consideration of 12,00,000/-, excluding taxes,(KYC Annexed as as annexure -1), out of which the complainant as per payment schedule paid a total sum of R. 5,10,000/- (receipts and bank statement filed as Annexure 2 series). Learned counsel for complainant further submits that at the time of booking, the complainant paid the 1st installment amount of Rs. 3,60,000/- through cheque no. 130612 dated 18.01.2018 and 2nd installment of Rs. 1,50,000/- on 09.07.2021 by way of account transfer to the respondent.

3. Learned counsel further submits that the respondent had promised to handover the possession of said flat to the complainant by December, 2019 with grace period of 6 months, but the respondent was not able to deliver possession even after expiry of more than five years, which amounts to breach of trust and also unfair trade practice. It seems that the respondent

promoter had committed a grave fraud with the complainant. Hence, the respondent promoter may be directed to refund the total amount of Rs, 5, 10,000/- along with interest and litigation cost Rs.2,00,000/-.

4. There is no representation on behalf of respondent. No counter reply has been filed on behalf of respondent.

5. Considering the submissions made on behalf of the complainant as well as on going through the record of the case, the Bench/Authority observes that the respondent has miserably failed to honor the commitments made to the complainant at the time of booking of flat. The Bench also observes that the project for which the respondent promoter has collected fund to hand over the said Flat to the complainant was not completed. There is no evidence on record that the project can be said to completed at earliest. In that view of the matter, the Bench /Authority has no option left but to dispose of the matter with direction to the respondent promoter to make refund of the total principal to the complainant along with interest as he has got benefit of the said amount.

6. In the backdrop of the facts of the case, the Bench/Authority hereby directs the respondent company through its Directors, Shri Rahul Kumar and Vikas Kumar Jyoti to refund the total principal amount of Rs. 5,10,000/- to the complainant along with interest @ 2% above the MCLR of State Bank of India since the date of payment till date of refund, as applicable for three years, within period of 60 days from the date of issue of the order.

7. The complainant, if so advised, shall be at liberty to seek other relief(s), if any, which are in nature of compensation, before the Adjudicating Officer, RERA, Bihar.

With these observations/direction, this complainant case is disposed of.

(Ved Prakash)
Special Presiding Officer