

REAL ESTATE REGULATORY AUTHORITY, BIHAR,

Before the Bench of Mr. Ved Prakash,
Special Presiding Officer

RERA/CC/484/2024

Reena Bhushan Complainant

Vs.

M/s Ghar Laxmi Buildcon Pvt. Ltd. Respondent

PROJECT: GHAR LAXMI MILESTONE

For the Complainant: Mr. Sujit Bhusan, Husband

For the Respondent :None

22.08.2025

ORDER

Husband of the complainant is present but the respondent is absent.

2. Husband of the complainant submits that the complainant entered into an Agreement For Sale on 28.01.2020 with the respondent - Managing Director Sri Rahul Kumar to purchase Flat no.201 in Block – D having carpet area of 990 sq. ft. and exclusive Balcony of 71 sq. ft. on 2nd floor along with car parking space on the ground floor in the project “Ghar Laxmi Milestone” on consideration amount of Rs.15,00,000/- out of which the complainant made payment of Rs.3,76,000/- on different dates through cheques which finds mention on page -8 of the Agreement. He further submits that the respondent had assured to complete the project and handover delivery of possession of the flat within the specified time but till date neither the project has been completed nor possession of the flat has been delivered, rather the respondent for the last many years are available at the provided address. Hence, the present complaint for a direction to the respondent to refund the amount of Rs.3,76,000/- along with interest to the complainant.

3. It is relevant to note that the respondent - Director had appeared only one time in the first proceeding dated 16.12.2024 before the Conciliation Forum and thereafter neither he appeared before the Conciliation Forum nor this Bench in spite of notice and reminder notice issued to him. It infers from the said act of the

/2/

respondent that he does not want to appear and say anything in this matter.

4. Perused the record. The Bench observes that the respondent - promoter neither honoured the commitment made to the complainant of completing the project and handing over possession of the flat within the specified time nor has refunded the principal amount of the complainant on his failure to deliver possession of flat. The Bench also observes that the respondent does not want to say anything in this case because in spite of several opportunities provided he did not take pain to appear and submit his reply. Considering the hardship being faced by the complainant and also the indifferent and non-cooperative attitude of the respondent, the Bench does not think it proper to allow this case pending for further period and, accordingly, the case is disposed of today itself.

5. In the backdrop of the submissions made by the husband of the complainant and on going through the material available on record, the Bench directs the respondent - company and its Director Mr. Manoj Kumar to refund the principal amount of Rs.3,76,000/- to the complainant along with interest at 2% above marginal cost of the lending rate (MCLR) of the State Bank of India on the total principal amount since the date of its payment till the date of refund within sixty days of this order.

6. The complainant is at liberty to press other claims, if any, which are in the nature of compensation, before the Adjudicating Officer, RERA.

With the aforesaid observations and directions, this case is disposed of.

Sd/-

(Ved Prakash)

Special Presiding Officer, RERA, Bihar.