

REAL ESTATE REGULATORY AUTHORITY, BIHAR,

Before the Bench of Mr. Ved Prakash,

Special Presiding Officer

RERA/CC/483/2024

Chandni Vats Complainant

Vs.

M/s Ghar Lakshmi Buildcon Pvt. Ltd. Respondent

PROJECT: GHAR LAKSHMI MILESTONE

For the Complainant: None

For the Respondent : None

22.08.2025

ORDER

The complainant and the respondent both are absent.

2. The case of the complainant is that she booked Flat no.501 of 1320 sq. ft. on 5th floor in Block – D along with Car Parking space in the project “ Ghar Lakshmi Milestone” vide KYC dated 25.06.2018 on consideration amount of Rs.19,00,000/-, out of which she paid Rs.4,00,000/-, against which the respondent issued acknowledgement receipt and photo copy of the same is kept on record. Further case of the complainant is that on payment of aforesaid amount the complainant requested for execution of Agreement For Sale specifying therein the terms and conditions including consideration amount, date of completion of the project and date of delivery of flat but the respondent did not execute the Agreement . Consequently, the complainant sent cancellation of booking letter to the respondent on 04.01.2023 for refund of his booking amount of Rs.4,00,000/- , upon which the respondent assured the complainant to refund his money till January, 2024 but the respondent failed in honouring the assurance. Thereafter, the complainant sent Legal Notice dated 01.03.2024 which was not responded. Hence, the present complaint for refund of money along with interest.

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3. It is evident from the record that the respondent - promoter in most of the proceedings either before the Conciliation Forum of RERA or this Bench did not appear. However, in the first proceeding dated 16.12.2024 before the Conciliation Forum Mr. Manoj Kumar, Director of the respondent – company, had appeared and assured to refund the principal amount before the next date but after that he did not appear before the Conciliation Forum and on 19.04.2025 this case was referred to this Bench. In the proceedings dated 04.07.2025 and today i.e. 22.08.2025 before this Bench, the respondent also not appeared.

4. Perused the record. The Bench observes that the respondent - promoter neither honoured the commitment made to the complainant of completing the proposed project and handing over of flat nor refunded the principal amount even after sending letter dated 04.01.2023 for cancellation of booking and refund of money on failure to deliver possession of flat. The Bench also observes that the respondent - promoter 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. Taking into consideration the aforesaid facts, the Bench directs the respondent - company and its Managing Director Mr. Rahul Kumar to refund the principal amount of Rs.4,00,000/- 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.

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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.