

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

RERA/CC/451/2025

Ashok Kumar

....Complainant(s)

Vs

M/s Ghar Lakshmi Buildcon Pvt. Ltd.

....Respondent

PROJECT- Income Tax Residency

For the complainant:

Mr. Ishtiyaque Hussain (Adv.)

For the respondent :

None

24.12.2025

O R D E R

Hearing is taken up.

2. Shri Ishtiyaque Hussain, learned counsel on behalf of complainant is present, but none is present on behalf of respondent.

3. The complainant has filed this complaint case by means of which he has sought refund of the booking amount of Rs. 7,45,000/- paid for purchase of Flat no. 403 in Block-B of the proposed project of the respondent, namely, "Income Tax Residency".

4. The case of the complainant, in brief, is that on 11.07.2019, the complainant entered into an agreement for sale with the respondent company whereunder the complainant has booked a flat in Block -B of the proposed project, Income Tax Residency, with an area of 1140 sq. ft. bearing flat no. 403 on 4th floor, situated at Mauja – Lakhnibigha, Danapur, District-Patna. The complainant has paid Rs. 7,45,000/- out of total consideration money Rs. 22,80,000/-. It is further submitted that although the project was approved in 2018, but even after a lapse of seven years, the respondent could not start the construction work of the flat in question. It is further submitted that the flat in question was booked by the complainant out of his hard earned money and as a result thereof, the complainant was left high and dry.

5. The complainant, being aggrieved by the indifferent attitude of the respondent, was left with no option but to pray for refund of principal amount along with interest and compensation.

6. Perused the record. The Bench/Authority observes that the respondent neither honoured the commitment made to complainant of handing over the possession of Flat no. 403 in question as per the agreement for sale dated 11.07.2019 nor is showing any interest in completion of project. Furthermore, the respondent company is also not attending the proceeding before the Bench to defend his case. There was no counter reply filed on behalf of respondent in spite of repeated notices. Considering the financial hardship being faced by the complainant and also the indifferent attitude of the respondent promoter, the Bench does not think it proper to keep this pending for further period and, accordingly, the case is disposed of today itself.

7. In the backdrop of the submissions made on behalf of the complainant and on going through the materials available on record, the Bench/Authority hereby directs the respondent company and its Director, Shri Rahul Kumar to refund the principal amount of Rs. 7,45,000/- along with interest @ 2% above the MCLR of State Bank of India, applicable for three years from the date of booking to the date of actual payment.

8. So far as the claim for compensation is concerned, the complainant is at liberty to press the same before the Adjudicating Officer as per the provisions of Act.

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

Sd/-
(Ved Prakash)
Special Presiding Officer