

REAL ESTATE REGULATORY AUTHORITY, BIHAR,

Before the Bench of Mr. Ved Prakash,

Special Presiding Officer

RERA/CC/254/2025

Manoj Kumar Complainant

Vs.

Tricolor Properties Pvt. Ltd. Respondent

PROJECT: SPRING FIELD

For the Complainant: Mr. Mukesh Kumar, Advocate

For the Respondent: None

29.04.2026

ORDER

Learned counsel Mr. Mukesh Kumar on behalf of the complainant is present but the respondent is absent.

2. Learned counsel for the complainant submits that in the month of January, 2018 the complainant booked a residential plot no. 2359, having area of 1361 sq. ft, in the project – Spring Field located at Mauza – Amnabad, Pargana – Maner, P.S. – Bihta, District – Panta on consideration amount of Rs.4,53,500/-. The said consideration money was paid by the complainant to the respondent - company and the respondent - company issued payment receipts, which are kept on the record. After receiving of the consideration amount, the respondent executed registered Sale deed on 24.02.2018, copy of which is kept on the record. He further submits that the respondent had assured the complainant that the project – Spring Field would be developed within the specified period of time but even after repeated requests the respondent has still not been developed the project and he has been sitting tight over the issue with no response. As a result, the complainant requested the respondent – promoter to refund his money as he has failed in honouring the commitment of completing the project within the specified time but he did not pay heed to his request. Hence, he has filed this complaint for a direction to the respondent to refund his money along with interest.

3. It is evident from the record that while the case came on the board of the Conciliation Forum, RERA, the respondent never appeared and before this Bench only once the respondent appeared in the proceeding dated 31.12.2025, in which the respondent was directed to file reply but thereafter he neither filed reply nor appeared before this Bench in spite of service of notice issued by the office of the Authority.

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4. Considering the submission of learned counsel for the complainant and going through the record, the Bench observes that the complainant booked a residential plot in the name of his minor daughter Ms. Pragya Bharti in the project – Spring Field located at Mauza – Amnabad, Pargana – Maner, P.S. – Bihta, District – Panta, on consideration amount of Rs.4,53,500/-, which was paid by the complainant to the respondent - company and the respondent - company after receiving of the consideration amount executed a registered Sale deed on 24.02.2018. The Bench also observes that the respondent – promoter had assured the complainant to develop the plot within the specified period of time but he failed in honouring his commitment which compelled the complainant to request the respondent to refund his money paid against the plot, but that too was not acceded to by the respondent. The Bench also observes that the respondent is knowingly and intentionally not filing reply and is trying to avoid his appearance in this case with an intention to keep the matter pending for longer period of time. Hence, the Bench is left with no option but to pass the order today on the basis of material available on the record.

5. Taking into consideration the submission of learned counsel for the complainant and the observations made above, the Bench directs the respondent - company and its Director, namely, Mr. Ritesh Kumar to refund the principal amount of Rs.4,53,500/- to the complainant along with interest at 2% above marginal cost of lending rate (MCLR) of the State Bank of India on principal amount since the date of its payment till the date of refund within sixty days of this order, subject to the condition that after refund of the aforesaid amount along with interest, the complainant would get his sale deed no.2290 dated 24.02.2018 cancelled under intimation to the respondent.

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

Sd/-

(Ved Prakash)

Special Presiding Officer, RERA, Bihar.