

REAL ESTATE REGULATORY AUTHORITY, BIHAR

**Before the Bench of Hon'ble Inquiry Commissioner, Mr. Sanjaya Kumar Singh, RERA,
Bihar**

RERA/CC/367/2025

Priyanka Kumari

.....Complainant

Vs

M/s Redbrick Infrabuild Pvt. Ltd.

.....Respondent

Project: Redbrick Empire

Present: For Complainant: Mr. Sharad Shekhar, Advocate

For Respondent: Mr. Anjesh Kumar, Director

12/05/2026

ORDER

Hearing taken up. Mr. Sharad Shekhar, learned counsel for the complainant is present. Mr. Anjesh Kumar, the Director of the respondent company is also present.

The Director of the respondent company submits that he is ready to settle the issue in favour of the complainant with all positivity. He suggests the complainant to take a land of similar area in a neighbouring plot which is already in possession of the respondent company and over which no such encumbrance exists at the moment. He further submits that the proposed land is raiyati in nature.

Learned counsel for the complainant submits that as per his talk with the complainant and her husband, the complainant is not interested in getting any alternative land in lieu of the earlier land. In such a case, he wishes to get refund of the entire amount paid by him along with interest as per the provisions of law.

The Director of the respondent company requests that the sale deed which has been executed in favour of the complainant needs to be cancelled before the process of refund is initiated by the respondent. This Bench appreciates the request of the respondent and directs the complainant to get the deed cancelled after which the respondent shall initiate the refund of the entire paid amount. Meanwhile, in order to install confidence in the complainant that she is going to get the refund of the entire amount after she cancels the deed an undertaking in this respect is required to be handed over by the respondent to the complainant that whenever she cancels the said deed, he will refund the said amount within a period of 60 days from the said date.

Perused the record of the case. Considering the demand of the complainant and also submission made by the learned counsel for the complainant that the land has not yet been mutated in his favour and has also not been physically handed over, this court finds it proper to take a final decision in this regard as the complainant cannot be made to suffer for an indefinite period. It is clear that the respondent has kept the money paid by the complainant with him (Rs.3.20 lakh) and has enjoyed the full economic benefit

out of the money paid by the complainant to the respondent company for the entire period from the date of payment till the present day and hence, he is liable to pay the interest over the said money as per the provisions of law.

Thus, in light of the documents placed on record and submissions made therein and also considering the fact that the respondent has enjoyed the full economic benefit of the amount paid by the complainant in lieu of booking of the alleged plot, this Bench hereby gives the following directions for compliance by all concerned:-

- (i) The respondent shall give a letter to the complainant assuring her to refund the entire paid amount along with interest as soon as she cancels the sale deed of the said land parcel executed by the respondent in her favour. The said letter shall be given in a time frame of seven days.
- (ii) The complainant within seven days of receipt of the above letter from the respondent shall get the cancellation of the above said deed executed in her favour. The respondent shall provide all help and support for this act.
- (iii) After the cancellation of the above sale deed, the respondent company and its Directors shall refund the entire principal amount of Rs.3.20 lakh to the complainant along with interest @ 2% above the Marginal Cost of fund-based Lending Rate (MCLR) of State Bank of India as applicable for three years from the date of booking till the date of refund within a period of 60 days from the date of this order.

With these directions, this case is accordingly disposed of.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar