

REAL ESTATE REGULATORY AUTHORITY, BIHAR

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

RERA/CC/480/2024

Priyanka KumariComplainant

Vs

M/s Star India Construction Pvt. Ltd.Respondent

Project: Tech-Towne, Plot

Present: For Complainant: Mr. Prabhat Kumar, Advocate

For Respondent: Mr. Sumit Kumar, Advocate

07/04/2026

ORDER

The matter was last heard on 12.03.2026 when Mr. Prabhat Kumar, learned counsel appeared on behalf of the complainant and Mr. Sumit Kumar, learned counsel appeared on behalf of the respondent.

Learned counsel for the complainant submitted that the complainant had booked two plots in the project 'Tech-Towne', one bearing Plot No.573 having an area of 1200 sq.ft. and the second bearing Plot No.N-17 having an area of 600 sq.ft. jointly in the name of the complainant Priyanka Kumari and her husband Dharendra Kumar Dhiraj in April, 2022. For Plot No.573 she had paid the total consideration amount of Rs.8.50 lakh and for Plot No.N-17 out of total consideration amount of Rs.7.00 lakh, she had paid 1.61 lakh totalling Rs.10.11 lakh to the respondent. She has enclosed copies of the Bank transaction receipts regarding the same along with her complaint petition for ready reference. An agreement for sale has also been executed between the parties on 27.05.2022. He further submitted that the respondent had assured the complainant that once full payment is made, a price concession would be given and the registry of the said plots would be done in favour of the complainant free of cost and also the possession would be handed over in two months, but despite repeated requests and several communications made through various modes, the respondent has deliberately avoided to initiate the process of registration as promised. He also submitted that the complainant visited several times in the office of the respondent for his legitimate demands but of no avail.

Learned counsel for the complainant has prayed for a direction to the respondent to refund the entire amount paid by the complainant along with interest @ 12% per annum from the date of payment till the date of actual refund and also award compensation for mental harassment, financial loss and litigation expenses incurred by the complainant.

Learned counsel for the complainant has also filed an application u/s 18 of the Real Estate (Regulation and Development) Act, 2016 for refund of the entire amount with interest and compensation for mental harassment and litigation cost in which he has reiterated the same facts as submitted above.

As per direction of the Bench vide its interim order dated 12.03.2026 the learned counsel for the respondent has filed a written notes of argument stating therein that the present complaint case is not maintainable either on facts or on law grounds. He submits that this complaint petition is fit to be dismissed being devoid of any merit.

Perused the record of the case including the documents submitted by the complainant. On perusal of the record, it is observed that the complainant had booked two plots in the project 'Tech-Towne', one bearing Plot No.573 having an area of 1200 sq.ft. and the second bearing Plot No.N-17 having an area of 600 sq.ft. jointly in the name of the complainant Priyanka Kumari and her husband Dharendra Kumar Dhiraj in April, 2022. She had paid the total consideration amount of Rs.8.50 lakh for plot no.573 and for Plot No.N-17 out of total consideration amount of Rs.7.00 lakh, she had paid Rs.1.61 lakh thus totalling Rs.10.11 lakh to the respondent. During the hearing held on 29.01.2026, the learned counsel for the respondent had submitted that the respondent is ready to take necessary action for registration of the sale deed provided the requisites pertaining to the same are made by the complainant before the competent authority. On perusal of the complaint petition it is also clear that the respondent has neither handed over the possession of the plots nor refunded the paid amount till date. Nevertheless, it is clear that the respondent has enjoyed full economic benefit out of the amount paid by the complainant to the respondent company for the entire period from the date of payment till the present day and he is, therefore, liable to refund the entire amount along with due interest 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 economic benefit of the amount paid by the complainant in lieu of booking of the alleged plots, this Bench hereby directs the respondent company and its Directors to refund the entire principal amount of Rs.10.11 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 sixty days of the date of issue of this order.

As regards claim for compensation is concerned, the complainant is at liberty to press the same before the A.O. (Adjudicating Officer) as per the provisions of the Real Estate (Regulation and Development) Act, 2016.

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

Sd/-
(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar