

**REAL ESTATE REGULATORY AUTHORITY, BIHAR,**

Before the Bench of Mr. Ved Prakash,

Special Presiding Officer

**RERA/CC/553/2024**

Priyanka Kumari .... Complainant

Vs.

M/s Ashirwad Engicon Pvt. Ltd. ....Respondent

**PROJECT: IOB GALAXY**

---

For the Complainant: Mr. Santosh Satyarthi, Advocate

For the Respondent: Mr. Ishtiyaque Hussain, Advocate

**22.04.2026**

**ORDER**

Learned counsel Mr. Santosh Satyarthi on behalf of the complainant and the learned counsel Mr. Ishtiyaque Hussain on behalf of the respondent are present.

2. Learned counsel for the complainant submits that the complainant had entered into an Agreement For Sale dated 29.03.2015 with the respondent to purchase a 3 BHK flat, having carpet area of nearly 950 sq. ft. and super built up area of nearly 1370 sq. ft., in the project – IOB Galaxy, situated at Mauza - Painal, P.S. Bihta, District – Patna, along with amenities, like, lift, generator, transformer, car parking etc., on consideration amount of Rs.6,51,000/- + Service Tax. The complainant made total consideration amount as well as Service Tax to the tune of Rs.6,71,116/-, against which the respondent - company issued money receipts and the same are kept on the record. He further submits that the complainant was assured to complete the project and handover physical possession of the flat within the specified time but neither the respondent completed the project nor delivered possession of flat to the complainant and till date the complainant is running from pillar to post to get the relief. Hence, the complainant has filed this complaint for a direction to the respondent to refund her money along with interest and compensation.

3. Learned counsel for the respondent – promoter submits that the respondent is not in position to provide flat to the complainant. However, he is ready to refund the amount of the complainant.

4. Perused the record. The Bench observes that vide Agreement For Sale dated 29.03.2015 the complainant was allotted a 3 BHK flat, having carpet area of nearly 950 sq. ft. and super built up area of nearly 1370 sq. ft., in the project – IOB Galaxy, situated at Mauza - Painal, P.S. Bihta, District – Patna, along with amenities on consideration amount of Rs.6,51,000/- + Service Tax., and the complainant made payment to the tune of Rs.6,71,116/-, which includes Service Tax, against which the respondent – company issued money receipts and the same are kept on the record. The Bench also observes that the respondent - promoter neither honoured the commitment made to the complainant of completing the project and handing over of flat even after getting payment of full consideration money. However, the respondent is willing to refund the amount of the complainant as submitted by learned counsel for the respondent.

5. Taking into consideration the submission of the parties and going through the material available on record, the Bench directs the respondent - company and its Directors Mr. Ajay Singh & Mrs. Mamta Sinha to refund the principal amount of Rs.6,71,116/- 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.

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