

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

RERA/CC/558/2024

Shiv Shankar Kumar

....Complainant(s)

Vs

M/s Ghar Lakshmi Buildcon Pvt. Ltd. and
others

....Respondents

PROJECT- **Income Tax Residency**

For the complainant:

Mr. Sumit Kumar (Adv.)

For the respondent :

None

12.06.2026

O R D E R

Hearing is taken up. Shri Sumit Kumar, learned counsel on behalf of complainant is present, but none is present on behalf of respondents.

2. The grievance of the complainant is that despite payment of huge money to the respondent as per agreement for sale, the respondents are lingering the matter, whereas the respondents are liable to handover the possession of flat in question No.502 in Block A of the above project.

3. Learned counsel for complainant submits that the complainant entered into a registered Agreement for Sale on 07.12.2019 executed by respondent no.2 Mr.Rahul Kumar, Director of the respondent No.1 for purchase of a flat bearing no. 502, in Block A, having carpet area of 915 sq. ft and balcony 56.40 sq.ft. on 5th floor in the project, Income Tax Residency admeasuring corresponding built up area of 1037 sq.ft and super Build up area 1220 Square feet with one covered car parking space on ground floor on a consideration of Rs. 28, 00,000/-out of which the complainant paid Rs. 19, 55,000/-through loan after agreement plus Rs.5, 00,000/-before the agreement (which find mentioned in the agreement) to the respondent promoter. He further submits that the proposed Income Tax Residency project was to be constructed at Thana no. 41, Tauzi no. 5225 and 14851, Khata no. 35, 90 and 91, Survey Plot no. 1667, 1675 and 1677 situated at Mauza-Lakhni Bigha, Survey P.S.- Danapur at present, P.S. Khagaul, District – Patna. He further submits that on behalf of the

complainant, he has filed on record a photocopy of certificate issued by PNB Bank showing payment of 19,55,000/- made through cheques by the complainant to the respondents. He has further filed the photocopy of above mentioned deed of registered agreement for sale dated 07.12.2019.

4. On notice and reminder notice on 10.04.2026 Mr. Sujeet Chandra Keshari, staff of the respondents without authority letter appeared, but thereafter he has also not taken pain to appear to file reply on behalf of the respondents. Hence neither reply nor is representation on behalf of respondents to defend the allegations of the complainant.

5. Considering the submissions of the complainant as well as on going through the record, the Bench observes that the respondent, after receiving a good deal of money from the complainant, is liable to hand over the possession of the flat in question in his project, Income Tax Residency to the complainant. It also appears that the respondents have totally ignored and violated the terms and conditions of the registered agreement for sale. However they have nothing to controvert on payment of principal amount Rs.24, 55,000/-. The complainant cannot be allowed to suffer due to indifferent attitude of the respondents. There is no fault on the part of the complainant. In such view of the matter, the Bench has no option left but to decide the case by issuing the following directions;

(i) The respondent company through its Director, Shri Rahul Kumar is directed to hand over the possession of aforesaid flat no. 502 in Block A of the project- Income Tax Residency after receiving the remaining consideration amount along with interest and applicable GST from the complainant and also execute the sale deed in favour of the complainant

(ii) The complainant is also directed to pay the remaining consideration money to respondent along with interest @ 2% above the MCLR of SBI since the due date till delivery of possession of flat at the time of delivery of possession before the execution and registration of sale deed.

(iii) The whole exercise must be completed within a period of sixty days from the date of passing of the order.

With these observations/directions, this complaint case is disposed
of.

Sd/-
(Ved Prakash)
Special Presiding Officer