

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.

....Respondent

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 respondent.

2. Learned counsel for complainants submits that the complainants entered into a registered Agreement for Sale on 07.12.2019 executed by respondent no. 1 for purchase of a flat bearing no. 502, Block A, having carpet area of 915 sq. ft and balcony 56.40 sq.ft. built on 5th floor in the project, Income Tax Residency admeasuring corresponding built up area of 1037 sq.ft with one car parking on ground floor for a consideration of Rs. 28,00,000/-out of which the complainant paid Rs. 19,55,000/- to the respondent promoter. 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. The complainant has filed on record a certificate showing payment of 19,55,000/- made through cheques by the complainant to the respondent. The grievance of the complainant is that despite payment of huge money to the respondent as per agreement for sale, the respondent is lingering the matter, whereas the respondent is liable to handover the possession of said flat in question. The complainant is compelled to reside in a rental house.

3. There is no representation on behalf of respondent. written reply is also not filed on behalf of the respondent.

4. Considering the submissions of the complainant as well as on going through the record, it appears that the respondent has no regard for the Authority. In spite of several notices being sent to the respondent, none turned to defend the case of the respondent. 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 said flat in question in his project, Income Tax Residency. It also appears that the respondent has totally ignored and violated the terms and conditions of the registered agreement for sale. The complainant cannot be allowed to suffer due to indifferent attitude of the respondent. 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 his project, Income Tax Residency after receiving the remaining consideration amount from the complainant.

(ii) The complainant is also directed to pay the remaining consideration money to the respondent promoter.

(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