

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

RERA/CC/57/2023

Dharmaraj Paswan

....Complainant(s)

Vs

M/s R.D. Eco Developer Pvt. Ltd.

....Respondent

PROJECT- R.D. Mansion, Block -B

For the complainant:

Mr. Ishtiyaque Hussain (Adv.)

For the respondent :

Mr. Sumit Kumar (Adv.)

11.03.2026

ORDER

Heard learned counsel appearing on behalf of both the parties.

2. The instant complaint case is filed by the complainant seeking refund of amount of Rs. 5,00,000/- which he claims to have paid to the respondent for booking a flat in the project, R.D. Mansion in the name of his wife.

3. On the other hand, the respondent has raised a preliminary objection on the maintainability of the case. The respondent has filed an objection petition on 28.05.2025 submitting therein that the instant case has been filed without any supporting and relevant documents in support of his claims. It is submitted that the complaint case was not filed in the prescribed format. The complainant has also failed to produce any agreement for sale, allotment letter, payment receipts or flat booking confirmation letter. Moreover, the complainant has not mentioned the flat no, Block no of the project in his case. The respondent has further submitted that the complainant is not an allottee of the project in question and thus, he is not an aggrieved person in terms of section 31 of RERA Act, 2016. The respondent has no valid information available in their record as to whether this complainant has ever made any payment to book the flat in their proposed project. In the circumstances, as detailed above, the respondent is not able to file any counter reply in the matter.

4. Considering the submissions advanced by learned counsel appearing on behalf of both the parties as well as on going through the record, it

appears that the complainant has not been able to make out his case by filing supporting and relevant documents. The Bench observes that there is no agreement for sale executed between the respondent promoter and the complainant. Further, there is no money receipts available on record to prove the transactions of money between both the parties. It is very difficult to assume that the complainant is one of the allottee in the project in absence of any relevant documents, such as agreement for sale, money receipts etc.

5. In view of what has been discussed above, the Bench holds that the complainant in the present case is not an allottee, but a stranger to the project. He has completely failed to make out his case before the Authority through this complaint. The instant case is fit to be rejected not only on the ground of merit but also on technical ground. In the result, the case is liable to be dismissed. However, the actual aggrieved person, if so advised, has liberty to file a fresh complaint case in proper format.

With these observations/directions, the instant case is dismissed.

Sd/-
(Ved Prakash)
Special Presiding Officer