

REAL ESTATE REGULATORY AUTHORITY, BIHAR
Before the Bench of Hon'ble Inquiry Commissioner, Mr. Sanjaya Kumar Singh, RERA,
Bihar

RERA/CC/69/2025

Sumit Kumar

.....Complainant

Vs

M/s Rukmani Buildtech Limited

.....Respondent

Project: Chhatrapati Shivaji Greens

Present: For Complainant: Mr. Sumit Kumar, Advocate

For Respondent: None

03/06/2026

ORDER

The matter was last heard on 19.03.2026 when Mr. Sumit Kumar, learned counsel for the complainant was present. The respondent was absent.

Learned counsel for the complainant submitted that the complainant in the name of his mother has booked a 3-BHK flat bearing Flat No.G208 on 2nd floor in Block-G having carpet area of 1032 sq.ft. along with an exclusive car parking space in the proposed project 'Chhatrapati Shivaji Greens' for a total consideration amount of Rs.25.51 lakh and the respondent promoter has executed an agreement for sale with the complainant on 10.09.2014 after receiving the initial payment of Rs.8.41 lakh. After enforcement of RERA Act and the registration of the project, the respondent promoter has executed another registered agreement for sale on 05.04.2019 in respect of the said flat. He further submitted that out of the said consideration amount, the complainant has paid Rs.18.00 lakh to the respondent. The respondent has issued payment details of the said amount which is annexed as Annexure 1 to the supplementary petition. He further submitted that even though the complainant has already paid more than 80% of the consideration amount, the respondent has failed to execute the absolute sale deed in favour of the complainant and handover the possession of the booked flat in terms of the agreement for sale. He also submitted that the complainant is ready and willing to pay the balance consideration amount and had repeatedly requested the respondent to execute the absolute sale deed and handover the physical possession of the flat but the respondent has paid no heed to the said request. The complainant has, therefore, prayed for a direction to the respondent to execute the absolute sale deed of the booked flat and handover the possession of the same. He also prayed for a liberty to file a case before the A.O. for compensation.

On perusal of the record, it appears that the respondent has been absent throughout the proceeding and he was also absent during the earlier conciliation proceeding held in this matter. The respondent has not filed any reply to the complaint petition.

During the previous hearings both the complainant and the respondent were directed to file written notes of argument but the respondent has failed to

comply with the direction of this Bench. Learned counsel for the complainant has, however, filed written notes of argument on behalf of the complainant.

This Bench observes that despite several opportunities given to the respondent, he has failed to execute the sale deed of the booked flat in favour of the complainant and also failed to handover the possession of the said flat and hence, in the interest of justice, order is being passed on the basis of documents available on record.

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 a flat in the said project and had paid a total sum of Rs.18.00 lakh out of the total consideration amount of Rs.25.51 lakh which is clear from the statement given by the respondent at Annexure-1 to the supplementary petition and the complainant has to pay the remaining amount of Rs.7.51 lakh to the respondent. It is also clear that the booking was done way back in the year 2014 but even after a lapse of over ten years, the respondent neither executed the absolute sale deed of the said flat in favour of the complainant nor handed over the possession of the same to the complainant.

Thus, in light of the documents placed on record and submissions made therein, this Bench directs the complainant to pay the remaining amount of Rs.7.51 lakh to the respondent and on payment of the remaining amount, the respondent is directed to execute the sale deed and hand over the physical possession of the said flat to the complainant after completing all the requirements pertaining to the same as per the provisions of law within a period of sixty days from the date of passing of the order.

As regards the claim for compensation, 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 accordingly disposed of.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner,
RERA, Bihar