

REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of Hon'ble Inquiry Commissioner, Mr. Sanjaya Kumar Singh, RERA, Bihar.

RERA/CC/74/2025

Roshan Kumar		Complainant
	Versus	
M/s Palviraj Construction Pvt. Ltd.		Respondent

Project: **MUMBAI RESIDENCY**

Present: For Complainant: Mr. Punit Kumar, Advocate
For Respondent: Mr. Sunil Kumar, Advocate

18.05.2026

ORDER

1. This case was last heard on 05.03.2026 when learned counsel Mr. Punit Kumar appeared for the complainant and Mr. Sunil Kumar appeared for the respondent.
2. During the hearing, learned counsel for the respondent was asked – whether he was ready to hand over any other flat in his project named Goa City in lieu of the flats booked by the complainant in the impugned projects named Mumbai Residency and Bollywood Residency, learned counsel for the respondent submitted that the respondent is ready to refund the entire amount paid by the complainant but he is not in a position to hand over any other flat in the other project named Goa City.
3. During the hearing, learned counsel for the complainant submitted that since the respondent has declined to hand over the possession of the two booked flats in Mumbai Residency and Bollywood Residency, hence he was left with no other option but to request this Bench for a direction to the respondent to refund the entire amount paid by the complainant along with interest as per the provisions of law.
4. Learned counsel for the complainant was ensured to file a written notes of argument on his behalf. He has filed a written notes of argument wherein he has submitted that he had booked two flats bearing Flat No. 806 in Mumbai Residency and Flat No. 504 in Bollywood Residency for which he had paid total amount of Rs. 7,43,000/- in the year 2019-20 but despite having sent several e-mails to the respondent, the respondent neither made any reply nor initiated the construction of the impugned projects. He, therefore, has prayed for refund of the entire paid amount along with interest as per the

provisions of law and has also asked for award of Rs.10,00,000/- (Rupees ten lakh) for mental harassment caused to the complainant.

5. On perusal of the record and hearing of submissions of both the parties, this Bench observes that despite a lapse of over six years, the respondent has neither initiated the construction of the impugned projects for which he had received the booking amount from the complainant nor voluntarily refunded the amount paid by the complainant. This Bench, therefore, observes that for the fault of the respondent, the complainant cannot be made to suffer for an indefinite period. Hence, this Bench decides to pass a final order in this case after due examination of the entire records of this case.

6. On perusal of the record of the case and after appreciating the submissions of both the complainant as well as the respondent, it is clear that the impugned project is not going to be constructed and despite knowing this fact very well, the respondent has preferred to enjoy full economic benefit of the money paid to him by keeping the same without any valid reason. It is, therefore, clear that the respondent is bound to refund the entire paid amount to the complainant along with interest thereon.

7. The Bench hereby directs the respondent company and its Directors to refund the entire paid amount to the complainant along with interest over the total amount of Rs. 7,43,000/- at the rate of 2% above the Marginal Cost of fund-based Lending Rate (MCLR) of State Bank of India as applicable for three years from the date of booking till the date of refund within a period of sixty days from the date of issue of this order.

9. As regards the complainant's claim for compensation, the complainant is at liberty to press the same before the Adjudicating Officer as per the provisions of the Real Estate (Regulation and Development) Act, 2016.

With the above directions and observations, this complaint case is disposed of.

Sd/-

(Sanjaya Kumar Singh)
Inquiry Commissioner
RERA, Bihar.